

FEDERAL REGISTER



VOLUME 20 1934 NUMBER 51

Washington, Tuesday, March 15, 1955

TITLE 3—THE PRESIDENT PROCLAMATION 3084

MODIFICATION OF RESTRICTIONS ON IMPORTS OF PEANUTS

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U. S. C. 624), I issued a proclamation on June 8, 1953 (No. 3019; 67 Stat. C46) limiting the quantities of peanuts, whether shelled, not shelled, blanched, salted, prepared, or preserved (including roasted peanuts, but not including peanut butter) which may be entered, or withdrawn from warehouse, for consumption in any 12-month period beginning July 1 in any year, which proclamation was amended by my proclamation of June 30, 1953 (No. 3025; 67 Stat. C54)

WHEREAS the total quantity of such peanuts which may be entered, or withdrawn from warehouse, for consumption under the said proclamation of June 8, 1953, as amended, during the 12-month period beginning July 1, 1954, has already been entered, or withdrawn from warehouse, for consumption;

WHEREAS, pursuant to section 22 (d) of the Agricultural Adjustment Act, as amended, the United States Tariff Commission has made a supplemental investigation to determine whether there is need for an additional quantity of imported peanuts during the remainder of the quota year ending June 30, 1955, to meet essential requirements of domestic peanut users, and, if so, what additional quantity might be permitted to be entered during the current quota year without materially interfering with or rendering ineffective the peanut program of the United States Department of Agriculture;

WHEREAS the United States Tariff Commission has submitted to me a report of its findings and recommendation

made in connection with the said supplemental investigation;

WHEREAS, on the basis of the said supplemental investigation and report of the Tariff Commission, I find that changed circumstances require the modification of the existing quota restrictions on peanuts which are in effect for the 12-month period beginning July 1, 1954, pursuant to the said proclamation of June 8, 1953, as amended, so as to permit the additional quantity of peanuts hereinafter described to be entered, or withdrawn from warehouse, for consumption during the remainder of the quota period ending June 30, 1955, subject to the fee hereinafter proclaimed; and

WHEREAS I find and declare that the entry, or withdrawal from warehouse, for consumption of such additional quantity of such peanuts subject to such fee will not render or tend to render ineffective, or materially interfere with, the said program of the Department of Agriculture with respect to peanuts, nor reduce substantially the amount of products processed in the United States from peanuts with respect to which such program is being undertaken:

NOW THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, acting under and by virtue of the authority vested in me by the said section 22 of the Agricultural Adjustment Act, as amended, do hereby proclaim that the said proclamation of June 8, 1953, as amended by the said proclamation of June 30, 1953, is hereby modified so as to permit the entry, or withdrawal from warehouse, for consumption during the remainder of the 12-month period beginning July 1, 1954, of not more than 51,000,000 pounds (aggregate quantity) of peanuts, shelled, blanched, salted, prepared, or preserved (including roasted peanuts, but not including peanuts not shelled or peanut butter), of sizes averaging in representative samples more than 40 kernels per ounce, subject to a fee of 2

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CFR SUPPLEMENTS

(For use during 1955)

The following Supplements are now available:

Title 3, 1954 Supp. (\$1.75)

Titles 30-31 (\$1.25)

Title 49: Part 165 to end (\$0.60)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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cents per pound but not more than 50 per centum ad valorem: *Provided*, That the said fee shall be in addition to any other duties imposed on the importation of such peanuts.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 9th day of March in the year of our Lord nineteen hundred and fifty-five, [SEAL] and of the Independence of the United States of America the one hundred and seventy-ninth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 55-2162; Filed, Mar. 11, 1955; 1:31 p. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases and Other Operations

[1954 C. C. C. Grain Price Support Bulletin 1, Supp. 2, Amdt. 5, Rye]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1954-CROP RYE LOAN AND PURCHASE AGREEMENT PROGRAM

BASIC COUNTY SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 19 F. R. 1810, 3124, 4178, 4399, 5079, 5593, 5594, 7103, and 20 F. R. 911, and containing the specific requirements of the 1954-Crop Rye Price Support Program are amended by establishing basic support rates for six additional counties in Idaho as follows:

Section 421.608 (d) (2) (i) is amended by adding to the list of counties and basic county support rates, the following Idaho counties and rates per bushel:

Butte	-----	\$1.25
Clearwater	-----	1.44
Elmore	-----	1.34
Lewis	-----	1.42
Madison	-----	1.25
Teton	-----	1.25

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interprets or applies sec. 5, 62 Stat. 1072, sec. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. 714c, 7 U. S. C. 1441, 1421)

Issued this 10th day of March 1955.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 55-2133; Filed, Mar. 14, 1955; 8:52 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 141c—CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS; TEST AND METHODS OF ASSAY

PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

PART 146c—CERTIFICATION OF CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Secretary of Health, Education, and Welfare by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507,

59 Stat. 463, as amended by 61 Stat. 11, 63 Stat. 409, 67 Stat. 389; sec. 701, 52 Stat. 1055; 21 U. S. C. 357, 371) the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR, 1953 Supp., Part 141c; 19 F. R. 1141, 4279) and certification of antibiotic and antibiotic-containing drugs (21 CFR, 1953 Supp., Parts 146, 146a, 146c; 19 F. R. 673, 1141, 1461, 2696, 3563, 5333, 4279, 7555, 9187; 20 F. R. 3, 560, 1096) are amended as indicated below:

1. Section 141c.222 is amended in the following respects:

a. The section headnote is changed to read: "*§ 141c.222 Tetracycline hydrochloride oral suspension; tetracycline calcium oral suspension*"

b. Paragraph (a) *Potency* is amended by inserting in the third sentence, immediately after the word "milligrams", the words "or the equivalent number of milligrams,"

c. Paragraph (b) is amended to read as follows:

(b) *Moisture*. If it is tetracycline hydrochloride oral suspension, proceed as directed in § 141a.7 (c) of this chapter.

d. A new paragraph, reading as follows, is added:

(c) *pH*. If it is tetracycline calcium oral suspension, use the undiluted drug and proceed as directed in § 141a.5 (b) of this chapter.

2. Section 146.26 *Animal feed containing penicillin* * * * is amended in the following respects:

a. Paragraph (b) (6) is amended by deleting the last sentence and changing the second sentence to read as follows: "When intended for such uses it may also contain oxytetracycline in a quantity not less than 50 grams per ton of feed and, in the amount specified, one, but only one, of the ingredients prescribed by paragraph (a) of this section."

b. Paragraph (b) (7) is amended by deleting the last sentence and changing the second sentence to read as follows: "When intended for such uses it may also contain oxytetracycline in a quantity not less than 100 grams per ton of feed and, in the amount specified, one, but only one, of the ingredients prescribed by paragraph (a) of this section."

c. Paragraph (b) (20) is amended to read:

(20) (i) It is intended for use solely in the prevention of outbreaks of coccidiosis in poultry flocks, and it contains nicarbazin (4,4'-dinitrocarbanilide complex with 2-hydroxy-4-6-dimethylpyrimidine) in a quantity, by weight of feed, of not less than 0.01 percent and not more than 0.02 percent, or arsenosobenzene in a quantity, by weight of feed, of 0.002 percent, and there has been submitted to the Commissioner, in triplicate, adequate information of the

kind described in § 146.7 to establish the safety and efficacy of the article and to guarantee its identity, strength, quality, and purity. The exemption shall expire at the beginning of any act changing the composition or labeling of such drug or the methods used in its manufacturing, processing, or packaging or the facilities and controls used for such manufacturing, processing, or packaging, unless the person who obtained the exemption has submitted to the Commissioner, in triplicate, amended information describing such proposed changes, and such amendment has been accepted by the Commissioner.

(ii) It is also intended for the prevention or treatment of the diseases of poultry specified in subparagraphs (6) and (7) of this paragraph, it contains nicarbazin or arsenosobenzene in the amounts and under the conditions set forth in subdivision (i) of this subparagraph, and it contains the antibiotics in the amounts specified in subparagraphs (6) and (7) of this paragraph.

(iii) It is intended for use in the diseases specified in subdivisions (i) and (ii) of this subparagraph, it contains ingredients in the amounts and under the conditions specified in those subdivisions, and it contains one, but only one, of the ingredients prescribed by paragraph (a) of this section and in the amounts specified in that paragraph.

3. In § 146a.57 *Procaine penicillin and streptomycin in oil* * * * paragraph (a) (1) is amended by changing the number "3.0" to read "2.0"

4. In § 146a.89 *Procaine penicillin-streptomycin-neomycin in oil* * * * paragraph (a) is amended by changing the number "7.5" to read "2.0"

5. Section 146c.202 *Chlortetracycline ointment* * * * is amended in the following respects:

a. Paragraph (a) *Standards of identity* * * * is amended by changing the third sentence to read as follows: "It may contain a suitable local anesthetic, cortisone, hydrocortisone, or a suitable ester of cortisone or hydrocortisone, and one or more suitable and harmless preservatives."

b. In paragraph (c) *Labeling*, subparagraph (1) (iii) is amended by inserting between the words "hydrocortisone," and "the name" the following new words: "or a local anesthetic,"

c. Paragraph (c) is further amended by renumbering subparagraph (3) as (4) and inserting a new subparagraph (3) reading as follows, between subparagraph (2) and renumbered subparagraph (4)

(3) On the label and labeling, if it contains one or more of the active ingredients specified in paragraph (a) of this section, after the name "chlortetracycline ointment," "chlortetracycline calcium ointment," "chlortetracycline calcium cream," or "tetracycline hydrochloride ointment," wherever it appears, the words "with _____" in juxtaposition with such name, the blank being

filled in with the common or usual name of each such ingredient used.

6. Section 146c.205 *Chlortetracycline powder* * * * is amended in the following respects.

a. In paragraph (a) *Standards of identity* * * * the first sentence is changed to read as follows: "Chlortetracycline powder, tetracycline hydrochloride powder, and tetracycline powder are crystalline chlortetracycline hydrochloride, tetracycline hydrochloride, or tetracycline, with or without one or more suitable and harmless vitamin substances, and with or without suitable and harmless buffer substances, preservatives, diluents, colorings, flavorings, and local anesthetics (if it is intended for use solely as a dusting powder) "

b. In paragraph (c) *Labeling* subparagraph (1) (iv) is changed to read:

(iv) If it contains a preservative, a local anesthetic, or vitamin substances, the name and quantity of each such ingredient.

c. Paragraph (c) is further amended by renumbering subparagraph (3) as (4) and inserting a new subparagraph (3) reading as follows, between subparagraph (2) and renumbered subparagraph (4)

(3) On the label and labeling, if it contains one or more vitamin substances, after the name "chlortetracycline powder," "tetracycline hydrochloride powder," or "tetracycline powder," wherever such name appears, the words "with vitamin _____" (the blank being filled in with the name of the vitamin ingredient used) or "with vitamins" (if it contains more than one vitamin ingredient), in juxtaposition with such name.

d. In paragraph (d) *Request for certification, samples*, subparagraph (3) (iii) is changed to read as follows:

(iii) In case of an initial request for certification, each other ingredient used in making the batch, one package of each containing approximately 5 grams.

7. Section 146c.222 is amended in the following respects:

a. The section headnote and paragraph (a) are changed to read as follows:

§ 146c.222 *Tetracycline hydrochloride oral suspension; tetracycline calcium oral suspension—(a) Standards of identity, strength, quality, and purity.* Tetracycline hydrochloride oral suspension and tetracycline calcium oral suspension are tetracycline hydrochloride or tetracycline calcium prepared from tetracycline hydrochloride, with one or more suitable and harmless suspending and dispersing agents; with or without one or more suitable sulfonamides; and with or without one or more suitable and harmless colorings, flavorings, buffer substances, and preservatives, suspended in a suitable and harmless vehicle. Each milliliter shall contain not less than the equivalent of 25 milligrams of tetracycline hydrochloride. If it is tetracycline hydrochloride oral suspension its moisture content is not more than 2 percent. The pH of the tetracycline calcium suspension is not less than 6.5 and not more

than 7.5. The tetracycline hydrochloride used conforms to the standards prescribed by § 146c.218 (a) except § 146c.218 (a) (2), (4) and (5) Each other substance used, if its name is recognized in the U. S. P or N. F., conforms to the standards prescribed therefor by such official compendium.

b. In paragraph (c) *Labeling*, subparagraph (1) (ii) is changed to read as follows:

(ii) The potency per milliliter expressed in milligrams of tetracycline hydrochloride or its equivalency of tetracycline hydrochloride.

c. Paragraph (c) (1) is further amended by renumbering subdivision (iv) as (v) and inserting a new subdivision (iv) reading as follows, between subdivision (iii) and renumbered subdivision (v)

(iv) The name and quantity of each sulfonamide and preservative used in making the batch.

d. Paragraph (c) is further amended by renumbering subparagraph (3) as (4) and inserting a new subparagraph (3) reading as follows, between subparagraph (2) and renumbered subparagraph (4)

(3) On the label and labeling, if it contains one or more sulfonamides, after the name "tetracycline hydrochloride oral suspension" or "tetracycline calcium oral suspension," wherever it appears, the words "with sulfonamide(s)," in juxtaposition with such name.

e. In paragraph (d) *Request for certification; samples*, subparagraph (2) (i) is changed to read as follows:

(i) The batch: Average potency per milliliter, average moisture if it is tetracycline hydrochloride oral suspension, and pH if it is tetracycline calcium oral suspension.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the amendments set forth above.

I further find that animal feeds containing the antibiotic drugs and other ingredients specified in amendment 2, above, need not comply with the requirements of sections 502 (1) and 507 of the Federal Food, Drug, and Cosmetic Act in order to insure their safety and efficacy, provided that they are used in the amounts and for the conditions specified in that amendment.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

This order shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

Dated: March 9, 1955.

[SEAL] BRADSHAW MINTENER,
Acting Secretary.

[F. R. Doc. 55-2118; Filed, Mar. 14, 1955;
8:49 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter G—Enrollment and Reenrollment of Indians

PART 56—PREPARATION OF ROLLS FOR THE DISTRIBUTION OF THE FUNDS AWARDED CERTAIN INDIAN TRIBES OR BANDS OF OREGON

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56.9	Action by the Secretary.
56.10	Preparation and approval of rolls.
56.11	Director's certificate.
56.12	Special instructions.
56.13	

AUTHORITY: §§ 56.1 to 56.13 issued under sec. 5, 68 Stat. 980.

§ 56.1 *Definitions.* As used in this part.

(a) "Secretary" means "Secretary of the Interior."

(b) "Commissioner" means "Commissioner of Indian Affairs."

(c) "Director" means "Area Director, Portland Area Office."

(d) "Enrolling Agent" means the "Area Director, Portland Area Office" or such other person or persons as may be designated by him to assist in the enrollment work.

(e) "Tribes" means "Molal or Molallalas Tribe of Oregon and the Confederated Bands of the Umpqua Tribes of Indians, and the Calappois residing in the Umpqua Valley, and the Tillamook, Coquille, Tooototoney and Chetco Tribes of Oregon." (Sec. I, act of August 30, 1954 (P. L. 715).)

§ 56.2 *Purpose.* The regulations in this part are to govern the compilation of rolls of Indians of the Tribes living on August 30, 1954, and who are entitled to share in the distribution of the judgment funds.

§ 56.3 *Applications.* Each person who believes that he or she is of the blood of the Tribes may, within one year from August 30, 1954, submit to the Director an application in writing for enrollment. Application forms may be obtained from the Director or Tribal Committees and when executed shall be filed with the Director. Applications for minors or persons mentally incompetent may be filed by parents, natural guardians, next friend, or other persons responsible for their care or having custody over them. Applications for persons in the armed or civilian service of this country, stationed outside the State of Oregon, and for those who have died since August 30, 1954, may be filed by the spouse, parents, next of kin, executor or administrator of the estate. Evidence must be furnished that applicant was living on August 30, 1954. Each application shall contain, among other information:

(a) The name and address of applicant, and if application is filed on behalf

of a minor, a person mentally incompetent, a person in the armed or civilian services of this country and stationed outside of the State of Oregon, or a person who has died since August 30, 1954, the name and address of the person filing the application for such person, and a statement of his or her relationship to the applicant.

(b) The names of all ancestors through whom the right to enrollment is claimed.

(c) Identification of the annuity, allotment, census or payment roll on which the name of the ancestors through whom the right to enrollment appears and his or her roll number. If the names of such ancestors do not appear on any of such rolls, or if there are no such rolls, the applicant shall establish by other appropriate means the fact that such ancestor or ancestors are or were of the blood of the Tribes. The applicant may furnish a certified copy of any record, roll, or other document which tends to establish that such ancestor or ancestors are of the blood of the Tribes.

(d) The relationship of the applicant to such ancestor or ancestors, and by what means this has been established.

(e) Present address of ancestors if living.

§ 56.4 *Burden of proof.* The burden of proof rests upon the applicant to establish that the applicant is of the blood of the Tribes as listed in his application.

§ 56.5 *Dual enrollment.* "No person shall be entitled to be enrolled on more than one roll." (Sec. I, act of August 30, 1954 (P. L. 715).)

§ 56.6 *Dual eligibility.* If applicant considers that he is of the blood of more than one of the tribes, he shall file a separate application for each such tribe. Each application shall be marked by applicant as to the order of priority in which to be considered for enrollment; that is, "First Choice," "Second Choice," etc. Each application shall be complete in itself and accompanied by supporting evidence, documents, and other material as may tend to establish eligibility.

§ 56.7 *Establishment of committees.* The Indians of each Tribe may select a committee of three persons, recognized as of the blood of the Tribe, to aid the Enrolling Agent in determining eligibility of the applicant for enrollment. Such committee shall act only in an advisory capacity. Each tribe electing such a committee shall notify the Director of such action together with the names of the members of the committee.

§ 56.8 *Action by the Director.* (a) The Director shall consider each application (except as indicated otherwise in paragraphs (b) and (c) of this section), and upon determination of the eligibility of the applicant, notify such person in writing of his decision. If such determination is favorable, the name of the applicant shall be entered upon the appropriate roll. If the determination is adverse, notice of such decision shall be sent to applicant by registered mail, return receipt requested, together with the

reasons therefor, and of the applicant's right of appeal to the Secretary.

(b) If applicant has filed for enrollment in two tribes, and it is determined that he is not eligible in the tribe of his "First Choice" the Area Director shall then proceed to consider his eligibility in the tribe of his "Second Choice." If the Area Director determines the applicant is eligible in the tribe of his "Second Choice" applicant shall be so notified and at the same time of the rejection of his application in the tribe of his "First Choice" together with the reasons therefor. Such notice shall be sent by registered mail, return receipt requested, and inform applicant of his right of appeal to the Secretary. If applicant fails to appeal within the time prescribed in § 56.9, the Area Director shall thereupon enter the name of the applicant upon the roll of the tribe of his "Second Choice."

(c) If applicant has filed for enrollment in three or more tribes each application shall be considered by the Area Director in the order or priority as indicated by applicant and in the same manner as indicated in paragraph (b) of this section. At such point in the priority choices that an applicant has been declared eligible for enrollment, no application of lower priority shall be considered and the applicant so notified. Non-action on such applications shall not be subject to appeal.

(d) When two or more applications have been filed by any applicant, and it has been determined by the Area Director that eligibility has not been established in any of them, the Area Director shall notify applicant in writing, return receipt requested, in each case together with the reasons for such adverse decision, and of his right of appeal to the Secretary in any and all cases. Each appeal shall be filed separately and complete in itself, and will be considered in the order of priority which governed the consideration of the applications filed.

§ 56.9 *Appeals.* Any appeal must be filed in writing with the Director within thirty (30) days from the receipt of the notice of rejection. The applicant may submit with his appeal any supporting data, not previously furnished. When upon review of the evidence submitted by appellant, the Director is satisfied that applicant has established his right to enrollment, appellant shall be so notified, and his name entered upon the proper roll. In any case where the Director determines applicant ineligible, the Director shall forward the appeal together with the complete record and his recommendation thereon to the Commissioner for transmittal to the Secretary.

§ 56.10 *Action by the Secretary.* The decision of the Secretary on an appeal shall be final and the applicant shall be given written notice of the decision. The Director is authorized to enter on the proper roll the name of any such person whose appeal has been granted when so directed by the Secretary.

§ 56.11 *Preparation and approval of rolls.* Upon completion of action on all applications filed within one year from

August 30, 1954, and upon notice from the Secretary that all appeals have been determined, the Director shall prepare a separate roll for each of the Tribes to whom a judgment has been awarded consisting of the names of those persons determined to be of the blood of such Tribes. Each roll shall contain for each person the application number, the roll number, name, sex, address, and in the remarks column the name of the ancestor and the tribe through whom enrollee has established his right to eligibility. If such ancestor's name appears on some official document or roll, such document or roll should be cited; otherwise there should be shown the basis on which eligibility was determined. Each roll shall be submitted to the Secretary for his approval or that of his designated representative.

§ 56.12 *Director's certificate.* The Director shall affix his certificate to each roll certifying that said roll to the best of his knowledge and belief contains only the names of those persons of the blood of said Tribes.

§ 56.13 *Special instructions.* To facilitate the work of the Director, the Commissioner may issue special instructions not inconsistent with the regulations in this part.

DOUGLAS MCKAY,
Secretary of the Interior.

MARCH 8, 1955.

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TITLE 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

Subchapter E—Security

PART 67—INDUSTRIAL PERSONNEL SECURITY REVIEW REGULATION

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AUTHORITY: §§ 67.1 to 67.5-5 issued under R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. E. O. 10501, 18 F. R. 7049; 3 CFR, 1953 Supp.

§ 67.1-1 *Purpose.* This part prescribes the uniform standard and criteria for determining the eligibility of contractors, contractor employees, and certain other individuals as set forth in this part, to have access to classified defense information. It also establishes the administrative procedures governing the disposition of all cases in which a military department, or activity thereof, has made a recommendation or determination (a) with respect to the denial, suspension or revocation of a clearance of a contractor or contractor employee, and (b) with respect to the denial or withdrawal of authorization for access by certain other individuals.

§ 67.1-2 *Definitions.* For the purpose of this part:

(a) The term "contractor" means an industrial, educational, commercial, or other entity which has executed a contract or a Department of Defense Security Agreement (DD Form 441) with a Department of Defense activity.

(b) The term "contractor employee" means any United States citizen or immigrant alien who is an official or employee of a contractor;

(c) The term "clearance" means an administrative determination, in accordance with approved policy, that a contractor or contractor employee is eligible to have access to classified information of specified categories classified in accordance with Executive Order 10501 which is necessary for the accomplishment of the particular missions established by the military departments or activities thereof; a clearance is an administrative determination that the granting of such approval is clearly consistent with the interests of the national security in the case of a contractor, a clearance is an approval for the contractor involved to have access to specified categories of classified information necessary in connection with the bidding, negotiation, award, performance, or termination of contracts with a military department or activities thereof which involves access to such information; in the case of a contractor employee, a clearance is an approval for the employee to have access to specified categories of classified information necessary for the performance of his work with a particular contractor on contracts with a military department or activity thereof which involve access to such information.

§ 67.1-3 *Policy.* (a) While the Department of Defense will assume, unless information to the contrary is received, that all contractors and contractor employees are loyal to the Government of the United States, the responsibilities of the military establishment necessitate vigorous application of policies designed to minimize the security risk incident to

the use of classified information by such contractors and contractor employees. Therefore, adequate measures will be taken to provide continuing assurance that no contractor or contractor employee will be granted a clearance if available information indicates that the granting of such clearance may not be clearly consistent with the interests of the national security. At the same time, every possible safeguard within the limitations of national security will be provided to ensure that no contractor or contractor employee will be denied a clearance without an opportunity for a fair hearing.

(b) The denial or revocation of a clearance in and of itself does not necessarily carry any implication that the individual is disloyal to the United States. Denial or revocation results from a determination that the granting of a clearance is not clearly consistent with the interests of the national security. Such a determination would, of course, be made in the case of a disloyal individual. However, there are many other reasons, unrelated to loyalty, which may result in such a determination and thus require the denial or revocation of a clearance. Since a clearance relates only to access to classified defense information, the denial or revocation of a clearance to a contractor or contractor employee does not preclude his participation in unclassified work.

§ 67.1-4 *Release of information.* All personnel in the Program will comply with applicable directives pertaining to the safeguarding of classified information and the handling of investigative reports. No classified information, nor any information which might compromise investigative sources or methods or the identity of confidential informants, will be disclosed to any contractor or contractor employee, or to his lawyer or representatives, or to any other person not authorized to have access to such information. In addition, in a case involving a contractor employee the contractor concerned will be advised only of the final determination in the case to grant, deny, or revoke clearance, and of any decision to suspend a clearance granted previously pending final determination in the case. The contractor will not be given a copy of the Statement of Reasons issued to the contractor employee except at the written request of the contractor employee concerned.

§ 67.1-5 *Program.* There is hereby established the Industrial Personnel Security Review Program, consisting of the following elements:

(a) The Office of Industrial Personnel Security Review.

(b) The Industrial Personnel Security Screening Board (hereinafter called the Screening Board)

(c) The Industrial Personnel Security Hearing Boards (hereinafter called the Hearing Boards)

(d) The Industrial Personnel Security Review Board (hereinafter called the Review Board)

§ 67.1-6 *Scope of Program.* (a) The procedures established in this part will be applicable to all cases in which:

(1) An activity of a military department has recommended that clearance of a contractor or contractor employee be denied or revoked;

(2) An activity of a military department has suspended a clearance of a contractor or contractor employee;

(3) An activity of a military department has denied or withdrawn authorization for access to classified information to an individual, other than an immigrant alien or foreign national, who is not an official or employee of a contractor nor of the Government, but whose access as a recurrent visitor is considered necessary by a contractor and who falls within categories established by the Director under this subparagraph; or

(4) Action is requested by the head of the military department concerned, or by the Secretary of Defense.

(b) Once a clearance has been suspended, an authorization for access denied or withdrawn, or a Statement of Reasons issued, these procedures will be applicable to individuals even if their employment has been terminated.

(c) Except at the request of the Secretary of a military department concerned, or the Secretary of Defense, determinations will not be made under the Program in cases:

(1) Involving access to research, development and production of cryptographic equipment;

(2) Originating outside the continental limits of the United States;

(3) Involving denial, suspension or revocation of clearance of a contractor on grounds pertaining solely to the physical elements of security.

(4) Involving solely a determination under the provisions of section 10 (j), act of July 2, 1926 (44 Stat. 787, 10 U. S. C. 310 (j)) and

(5) Involving contractors which are under foreign ownership, control or influence.

§ 67.2 Organization.

§ 67.2-1 *Office of Industrial Personnel Security Review.* (a) The Office of Industrial Personnel Security Review will be headed by a civilian Director appointed by the Secretary of Defense after consultation with the Secretaries of the military departments. The Director shall be responsible to the Secretary of Defense and the Secretaries of the Army, Navy and Air Force for administering the Industrial Personnel Security Review Program, including its constituent boards. He will be responsible for ensuring that the Screening, Hearing, and Review Boards are provided with such advice, assistance and personnel, including legal and security advisors, as he considers necessary to enable the Boards properly to carry out their functions under this Program. He will have such professional, technical and clerical staff as he may require to carry out his responsibilities as set out herein, and such other related responsibilities as may be prescribed. The Director is authorized to obtain information, assistance and advice directly from any activity of the Department of Defense and, in accordance with established policies, from other agencies of the Government. The

Director will bring to the attention of the Secretary of Defense and the Secretaries of the military departments any case or significant development which in his judgment warrants their attention. He shall prepare monthly reports on the case loads of the boards and the status of cases pending before the boards. The Director may issue such supplemental instructions, not inconsistent with this part, as may be desirable for the administration and efficient operation of this Program, including rules for the processing of cases, the conduct of screenings, hearings and reviews, and for guidance in the application of the standard and criteria set forth in § 67.3.

(b) The Central Index Personnel and Facility Security Clearance File (hereinafter called the Central Index File) is transferred to the Office of Industrial Personnel Security Review. The Director shall maintain and operate the Central Index File in accordance with existing regulations. In addition, he shall maintain as a part of the Central Index File the complete files of the records of cases processed by the Army-Navy-Air Force Personnel Security Board, the Industrial Employment Review Board, the Eastern, Central and Western Industrial Personnel Security Boards and the Boards established by this part.

(c) The Director, in consultation with appropriate security offices, will develop such implementing procedures as are necessary to safeguard the security of classified information and investigative reports made available to any element of the Program.

(d) The Office of Industrial Personnel Security Review will be located in the Pentagon and will be supported administratively by the Office of the Secretary of Defense. The military departments will make appropriate allocations of funds, military and civilian personnel and personnel spaces.

(e) Communications will be addressed to the Director, Office of Industrial Personnel Security Review, The Pentagon, Washington 25, D. C.

§ 67.2-2 *Industrial Personnel Security Screening Board.* (a) The Screening Board will be located in the Office of Industrial Personnel Security Review and will be responsible for the performance of the duties and functions hereinafter prescribed.

(b) The Secretary of each military department will appoint one or more members, military or civilian, to the Screening Board, as the case load requires. Any three members so appointed, one from each military department, will constitute a quorum-panel so that more than one panel may be convened at the same time. The Director will designate one member to serve as Chairman of the Screening Board.

(c) The Screening Board will have jurisdiction over all cases which are referred to it in accordance with this part.

§ 67.2-3 *Industrial Personnel Security Hearing Boards.* (a) There are hereby established three Hearing Boards to be known as the New York, the Chicago and the San Francisco Industrial Personnel Security Hearing Boards and

to be located in such cities respectively. Additional Hearing Boards may be established by the Director with the approval of the Secretaries of the Army, Navy and Air Force. Panels of existing Hearing Boards, convened at other locations, will be utilized when necessary to ensure prompt and convenient hearings. Each Hearing Board will be responsible for the performance of the duties and functions hereinafter prescribed.

(b) The Secretary of each military department will appoint one or more members, military or civilian, to each Hearing Board, as the case load requires. Appropriate local commanders designated by each Secretary will submit nominations through the Director, who will review the qualifications of each nominee and make an appropriate recommendation to the Secretary concerned. In the letters submitting the nominations the designated commander will include a statement that in his personal opinion the nominees are persons of responsibility and are of mature judgment and balance who can be counted upon to proceed in a fair and judicial manner. The Director will designate one civilian member to serve as Chairman of each Board. Any three members, one from each military department, and including at least one civilian, will constitute a quorum-panel so that more than one panel may be convened at the same time, if required.

(c) Each Hearing Board will have jurisdiction to hear and determine all cases referred to it in accordance with this part.

(d) The Hearing Boards will be supported administratively by the following military commanders:

New York Industrial Personnel Security Hearing Board: Commanding General, First Army.

Chicago Industrial Personnel Security Hearing Board: Commander, Air Materiel Command.

San Francisco Industrial Personnel Security Hearing Board: Commandant, 12th Naval District.

The respective Hearing Boards will be located as indicated in this section, but may convene at such locations or commands as the Director deems appropriate and convenient.

(e) Each of the above-named commanders will be responsible for the administration of the Board located within his command and for the development of implementing procedures to safeguard classified information made available to the Board. Each commander will appoint an Executive Secretary, a Security Advisor, and a Legal Advisor, and will make available such other personnel as may be required by the Director to assist in administering each Hearing Board. The Executive Secretary will be responsible for establishing and maintaining necessary administrative services, including equipment, supplies, files and records; processing of correspondence; reviewing the files for completeness; docketing the cases; and setting an approved time and place for hearing. The Security Advisor and the Legal Advisor will furnish advice and assistance to the Board.

(f) As a verbatim transcript will be required of each hearing before a Hearing Board, it is the responsibility of each of the above-mentioned commanders to provide the necessary personnel and facilities for the prompt making of such transcripts.

(g) Where a panel of a Hearing Board is convened at a location or command outside the jurisdiction of the above-mentioned commanders, the military commander designated by the Director will provide office space, facilities, clerical personnel for each hearing and for the prompt making of a verbatim transcript thereof.

§ 67.2-4 *Industrial Personnel Security Review Board.* (a) The Review Board will be located in the Office of Industrial Personnel Security Review and will be responsible for the performance of the duties and functions hereinafter prescribed.

(b) The Secretary of each military department will appoint one or more members, military or civilian, to the Review Board as the case load requires. The Director will designate one member to serve as Chairman of the Review Board. Any three members so appointed, one from each military department, will constitute a quorum-panel so that more than one panel may be convened at the same time. One of the members of each quorum-panel must be a qualified lawyer and each quorum-panel will include at least one civilian.

(c) The Review Board will have jurisdiction over all cases referred to it in accordance with this part.

§ 67.2-5 *Security clearance of nominees.* No person will be appointed Director, member or alternate, Executive Secretary, Security Advisor, or Legal Advisor of any Board established under this Program, until such person has been granted a Top Secret security clearance based on a background investigation.

§ 67.3 *Standard and criteria.*

§ 67.3-1 *Standard for denial of clearance.* Clearance shall be denied or revoked if it is determined, on the basis of all the available information, that access to classified information by the person concerned is not clearly consistent with the interest of the national security.

§ 67.3-2 *Criteria for application of standard in cases involving individuals.* (a) The activities and associations listed below which may be the basis for denial or revocation of clearance are of varying degrees of seriousness. Therefore, the ultimate determination of whether clearance should be granted or continued must be an over-all common-sense one, based on all available information.

(1) Commission of any act of sabotage, espionage, treason, or sedition, or attempts thereat or preparation therefor, or conspiring with, or aiding or abetting, another to commit or attempt to commit any act of sabotage, espionage, treason or sedition.

(2) Establishing or continuing a sympathetic association with a saboteur, spy, traitor, seditionist, anarchist, or revolutionist, or with an espionage or

other secret agent or representative of a foreign nation, or any representative of a foreign nation whose interests may be inimical to the interests of the United States, or with any person who advocates the use of force or violence to overthrow the Government of the United States or the alteration of the form of government of the United States by unconstitutional means.

(3) Advocacy of use of force or violence to overthrow the Government of the United States, or of the alteration of the form of government of the United States by unconstitutional means.

(4) Membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons which is totalitarian, Fascist, Communist, or subversive, or which has adopted, or shows, a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or which seeks to alter the form of government of the United States by unconstitutional means.

(5) Intentional, unauthorized disclosure to any person of classified information, or of other information, disclosure of which is prohibited by law.

(6) Performing or attempting to perform his duties, or otherwise acting, so as to serve the interests of another government in preference to the interest of the United States.

(7) Participation in the activities of an organization established as a front for an organization referred to in subparagraph (4) of this paragraph when his personal views were sympathetic to the subversive purposes of such organization.

(8) Participation in the activities of an organization with knowledge that it had been infiltrated by members of subversive groups under circumstances indicating that the individual was a part of, or sympathetic to, the infiltrating element or sympathetic to its purposes.

(9) Participation in the activities of an organization referred to in subparagraph (4) of this paragraph in a capacity where he should reasonably have had knowledge of the subversive aims or purposes of the organization.

(10) Sympathetic interest in totalitarian, Fascist, Communist, or similar subversive movements.

(11) Sympathetic association with a member, or members, of an organization referred to in subparagraph (4) of this paragraph. (Ordinarily, this will not include chance or occasional meetings, nor contacts limited to normal business or official relations.)

(12) Currently maintaining a close continuing association with a person who has engaged in activities or associations of the type referred to in subparagraphs (1) through (10) of this paragraph. A close continuing association may be deemed to exist if the individual lives at the same premises as, frequently visits, or frequently communicates with such person.

(13) Close continuing association of the type described in subparagraph (12)

of this paragraph, even though later separated by distance, if the circumstances indicate that renewal of the association is probable.

(14) Willful violation or disregard of security regulations.

(15) Any behavior, activities, or associations which tend to show that the individual is not reliable or trustworthy.

(16) Any deliberate misrepresentations, falsifications, or omission of material facts from a Personal Security Questionnaire, Personal History Statement, or similar document.

(17) Any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, habitual use of intoxicants to excess, drug addiction, or sexual perversion.

(18) Acts of a reckless, irresponsible or wanton nature which indicate such poor judgment and instability as to suggest that the individual might disclose classified information to unauthorized persons, or otherwise assist such persons, whether deliberately or inadvertently, in activities inimical to the security of the United States.

(19) Any illness, including any mental condition, of a nature which, in the opinion of competent medical authority, may cause significant defect in the judgment or reliability of the employee, with due regard to the transient or continuing effect of the illness and the medical findings in such case.

(20) Any facts which furnish reason to believe that the individual may be subjected to coercion, influence, or pressure which may cause him to act contrary to the best interests of the national security.

(21) The presence of a spouse, parent, brother, sister, or offspring in a nation whose interests may be inimical to the interests of the United States, or in satellites or occupied areas of such a nation, under circumstances permitting coercion or pressure to be brought on the individual through such relatives.

(22) Refusal by the individual, upon the ground of constitutional privilege against self-incrimination, to testify before a Congressional or legislative committee, or Federal or State court or other tribunal, regarding charges of his alleged disloyalty or other misconduct.

(b) Legitimate labor activities shall not be considered in determining whether clearance should be granted or continued.

§ 67.3-3 Criteria for application of standard in cases involving contractors. The granting or continuing of a facility clearance to a contractor is not clearly consistent with the interests of the national security if the clearance of an officer, director, owner, or key employee of the contractor, who is required to be cleared in connection with a facility security clearance has been, or would be, denied under the standard and criteria set forth in §§ 67.3-1 and 67.3-2.

§ 67.4 Processing of cases.

§ 67.4-1 Emergency action. In accordance with existing directives, activities of military departments will not deny a clearance to a contractor or contractor employee, and ordinarily will not suspend a previously granted clearance. How-

ever, in exceptional cases officials authorized by the military department concerned may suspend a clearance previously granted to a contractor employee (but not a clearance granted to a facility) when, in the opinion of the authorized official, the contractor employee's continued access to classified information, pending action by the Screening Board, would constitute an immediate threat to the security interests of the United States.

§ 67.4-2 Forwarding cases. Activities of military departments will forward to the Director all cases prescribed in § 67.1-6 (a), together with the complete file, including the recommendation in the case, the reasons therefor, and all other available information and material relevant to a determination in the case. On receipt of the file, the Director, after ensuring that it has been properly prepared and transmitted, will forward it to the Screening Board for appropriate action.

§ 67.4-3 Initial adjudication procedures (Screening Board action) (a) The Screening Board will review each case referred to it by the Director and will determine in accordance with the standard and criteria set forth in § 67.3 whether the reported information warrants (1) the granting or continuing of a clearance or (2) further processing as set forth below. If an emergency suspension of clearance has already been effected pursuant to § 67.4-1, the Board will review such action to determine its propriety.

(b) With respect to any case pending before it, the Screening Board may request the Director to:

(1) Request further investigation, specifying the particular points on which the Board feels its information is not adequate.

(2) Issue to the person concerned such written interrogatories as the Board may deem desirable.

(3) Arrange for an interview with the person concerned.

(c) The Screening Board may, with respect to any case pending before it, determine at any time that an existing clearance should be suspended. Upon any such determination, the Director will notify the person concerned, the contractor, the security office of the cognizant military department and the agency which forwarded the case to him.

(d) If the Screening Board determines that a clearance should be granted or continued in effect, it will prepare its finding in the form set forth in § 67.40-6

(e) The Director will notify the activity which forwarded the case to him of the determination and instruct it to effect the clearance.

(e) If the Screening Board concludes on the basis of the information available to it and in accordance with the standard and criteria set forth in § 67.3 that the case does not warrant a security finding favorable to the person concerned, it will prepare a Statement of Reasons. The Statement of Reasons will be as specific and in as great detail as, in the opinion of the Board, security considerations permit, in order to provide the person concerned with sufficient information

to enable him to prepare his defense. Whenever the Board issues a Statement of Reasons, it will suspend any clearance previously granted to the person concerned.

(f) The Director will forward to the person concerned, by registered mail with a request for a return receipt signed "by addressee only," the Statement of Reasons and a copy of this part. He will also inform the person concerned of his clearance status pending final determination in his case and of his rights:

(1) To answer the Statement of Reasons in writing under oath or affirmation and to submit such statements or affidavits by third parties or other documentary evidence as he may desire; and

(2) To appear, at his request, before a Hearing Board in person and/or by counsel or representative of his own choosing and to present evidence in his behalf including testimony of witnesses. The Director will also inform him that his clearance will be denied or revoked finally without further action unless, within ten calendar days after he receives his notice, he either submits the written material as described in subparagraph (1) of this paragraph, requests a hearing, or requests the Director for additional time in which to answer.

(g) If, within the time authorized, the person concerned:

(1) Requests a hearing, the Director will forward the complete file to the Executive Secretary of the Hearing Board which the Director shall designate;

(2) Submits written material pursuant to paragraph (f) (1) of this section but does not request an opportunity to appear at a hearing, the Director will forward the complete file either to a Hearing Board for determination on the basis of the file or directly to the Review Board for action in accordance with § 67.4-8.

(3) Does not reply, the Director will instruct the activity which forwarded the case to him to deny or revoke finally the clearance, as appropriate, and will also advise the person concerned.

(h) All determinations by the Screening Board will be made in executive session and will be in writing with a statement setting forth the basis for its action. Favorable determination shall be by unanimous vote. No security advisor or legal advisor will be present when the Board deliberates and reaches its determination.

§ 67.4-4 Action by Hearing Board. (a) On receipt of the file, the Executive Secretary of the Hearing Board, after consulting with the Chairman, will set a time and place for the hearing and inform the person concerned thereof. The hearing will be held as soon as practicable, allowing the person concerned a reasonable time within which to prepare his case and obtain witnesses. The Executive Secretary will also inform the person concerned that any further answer to the Statement of Reasons, or additional statements, affidavits or other documentary material he may care to file should be submitted directly to the Executive Secretary.

(b) Each individual case file referred to a Hearing Board will be studied, prior to the hearing, by each Board member who is to participate in the determination of the case, so that the Board will be able to conduct the hearing in an intelligent manner. Board members must bear in mind constantly when studying the file prior to the hearing that the investigative reports, Statement of Reasons, and other information in the file represent an incomplete presentation of the case, since the person concerned may not yet have presented his entire defense. Accordingly, Board members should not form any premature conclusions as to the eventual determination of the case.

(c) The Board may, on its own motion, request the attendance of such witnesses as it deems appropriate. Invitations should state the time and place where the hearing will be held and that the Government cannot pay witness fees or reimbursement for travel or other expenses. Employees of activities of the Department of Defense who are invited to appear as witnesses will be encouraged to attend and no charge to annual leave will be made for attending.

(d) If a person who has requested an opportunity to appear fails to appear at the time and place set for the hearing or at any postponement thereof and has not requested the Hearing Board to determine his case on the basis of the file, including any written material he may have submitted, the Executive Secretary will return the complete file to the Director without further action by the Hearing Board. The Director will then take action under § 67.4-3 (g) (3).

§ 67.4-5 Conduct of hearings. (a) Hearings are designed to accomplish two major purposes: (1) To permit the person concerned to present evidence in his behalf and (2) to ascertain all the relevant facts in the case to aid in reaching a fair and impartial determination. Accordingly, such hearings are not to be conducted with the formality of a court proceeding, but rather as administrative inquiries held for the purpose of affording the person concerned an opportunity to be heard and to permit the Board to inquire fully into the matters related to the particular case.

(b) Hearings will be conducted in an orderly manner and in an atmosphere of dignity and decorum. They may be attended only by the members of the Board participating in the hearing, the person concerned and his lawyer or representatives, authorized personnel of activities of the Department of Defense, necessary clerical personnel, and such witnesses as the Government or the person concerned may desire. The person concerned and his lawyer or representatives have the right to be present throughout the hearing. Unless the Board rules otherwise, a witness may be present only when he is testifying.

(c) The Security Advisor will be present at the hearing to furnish advice and assistance to the Board whenever required. As a matter of standard procedure a Legal Advisor will also be present at the hearing to furnish legal advice to the Board and to assist it in

making certain that the record is complete. Both the Security Advisor and the Legal Advisor may interrogate witnesses who appear before the Board (including the person concerned, if he chooses to testify). In the event the person concerned appears without a lawyer, the Legal Advisor will advise him of his rights and assist him with respect to procedure. No function performed by the Legal Advisor, however, will relieve the Board of its responsibilities for ensuring that the record is complete, that the person concerned is advised of his rights, and that all pertinent information, both favorable and unfavorable, is considered. In the discretion of the Board, both the Security Advisor and the Legal Advisor may attend executive sessions of the Board, but they will not be present when the Board deliberates its findings and reaches its determination.

(d) Strict rules of evidence need not be followed. The Board may admit in evidence any material, either oral or written, which in the minds of reasonable men is of probative value in determining the issues involved, but reasonable bounds with respect to relevancy, materiality and competency of evidence will be maintained. Efforts shall be made to obtain the best evidence as to a particular issue. Hearsay evidence may be admitted without regard to technical rules of admissibility and shall be accorded such weight as, in the opinion of the Board, the circumstances warrant.

(e) Hearings will be called to order by the Chairman, who shall make an opening statement substantially as follows:

The ----- Industrial Personnel Security Hearing Board appointed by the Secretaries of the Army, Navy and Air Force is now ready to proceed with the hearing in the case of (name of person concerned). This is not a court of law and strict rules of evidence and court procedure need not be followed. This is an administrative hearing held for the purpose of affording you an opportunity to be heard and to permit the Board to inquire fully into the matters related to your case. You have the right to be represented by a lawyer or other representative and to present witnesses and other evidence in your behalf. You can assist the Board in arriving at a fair and just determination in your case by giving full and frank answers to all questions the Board may have and by confining your attention to matters related to your case. The transcript to be made of this hearing will not include all material in the file of the case in that it will not include reports of investigation conducted by the Federal Bureau of Investigation or other investigative agencies which must be held in confidence. Neither will it contain information which might reveal the identity of confidential informants or the source of confidential evidence. The transcript will contain only the statements made, testimony given and exhibits received in open sessions of this hearing. A copy of this transcript, less exhibits, will be furnished you or your representative without cost if you request it.

(f) Following the opening statement the Chairman will read the Statement of Reasons and inform the person concerned that, if he desires, he or his lawyer or representative may then make a general opening statement. Each wit-

ness, before testifying, will be informed that section 1001 of Title 18, United States Code, makes it a criminal offense, punishable by a maximum of five (5) years' imprisonment, \$10,000 fine, or both, to make a false statement or representation to any Department or Agency of the United States as to any matter within the jurisdiction of any Department or Agency of the United States.

(g) Normally Government witnesses, if any, will then be heard.

(h) The person concerned will then present his case, including his own testimony (if he desires to testify) testimony of other witnesses and written evidence.

(i) The Board will, when appropriate, amend the Statement of Reasons to conform it with the information available. When such amendments are made, the Board may grant the person concerned such additional time as it deems appropriate to answer such amendments and to secure and present evidence concerning them.

(j) The Board may recess the hearing at any time on the request of the person concerned or upon its own motion. When it desires, the Board may meet in executive session but no transcript of executive sessions will be made.

(k) Before the Board adjourns the hearing, the Chairman will ask the person concerned whether he desires additional time to secure and present additional evidence or to submit a brief. If the person concerned does desire to present such additional material, the Board shall determine the time within which it must be presented and the form in which it will be received. The Chairman will also advise the person concerned that announcement of the determination in his case will be made by the Director, Office of Industrial Personnel Security Review.

(l) A verbatim transcript (in quintuplicate) will be made of the hearing and such transcript will become a permanent part of the file. The person concerned or his designated representative will be furnished without cost one copy of the transcript, less the exhibits, upon his request. The transcript will be reviewed by the Board in consultation with the Security Advisor prior to release to ensure that it contains no classified information.

(m) If the person concerned or his lawyer or representative desires to submit corrections in the transcript to the Board, he will note the corrections on a separate statement, designating the page and line. The statement of corrections must be filed within the time set by the Board. The Board will determine what corrections are allowable, will enter on the transcript by marginal notation the corrections which are allowed, and will enter on the statement filed by the person concerned the corrections which are rejected. This statement will be made a permanent part of the record. The Board in its discretion may call upon the person concerned, or his counsel or representative, for a discussion of the corrections prior to its determination thereon. Corrections will be allowed solely for the purpose of con-

forming the transcript to the actual testimony.

§ 67.4-6 *Hearing Board determination.* (a) As promptly as possible after the hearing, the Board shall meet in executive session and after full consideration of the complete file, including all evidence, arguments, and briefs in the case, it will reach its determination in accordance with the standard and criteria set forth in § 67.3.

(b) The Board will take into consideration the fact that the person concerned may have been handicapped in his defense by the non-disclosure to him of classified information or by his lack of opportunity to identify or cross-examine persons constituting sources of information. Accordingly, it will weigh each item of derogatory information carefully in the light of its recency and relative seriousness, the amount and quality of supporting evidence, the attendant circumstances, whether the item was given under oath or affirmation, whether or not it is relevant to the Statement of Reasons, and whether or not the person concerned has had an opportunity to rebut it.

(c) The determination, which shall be reached by majority vote, shall be signed by the members and made a permanent part of the record in the case.

(d) The determination shall include a finding with respect to each of the allegations set forth in the Statement of Reasons. Each such finding shall be followed by a detailed discussion of the evidence which the Board has relied upon in making such findings.

(e) The determination shall also include a statement in the following form:

The Board determines that on all the information available to it the granting of clearance to _____ for access to classified information (is) (is not) clearly consistent with the interests of the national security.

This statement shall be followed by a discussion of why the aforementioned findings with respect to the allegations justify the determination.

(f) If the decision is not unanimous, a signed minority opinion shall be filed, setting forth the reasons for the dissent in the manner prescribed in paragraphs (d) and (e) of this section.

§ 67.4-7 *Procedure after determination by the Hearing Board.* (a) After the Hearing Board has considered a case and reached a determination, the Executive Secretary promptly will forward the complete file to the Director who will examine it for completeness and compliance with the procedures set forth in this part. If the Director is not satisfied with the state of the record in the case, he may return the case to the Hearing Board for further action. In any case in which the Director is satisfied with the record and in which the determination of the Hearing Board is unanimous, he may announce that determination as the final determination of the case. He will notify the person concerned, the activity initially referring the case, and other interested agencies of this determination. The Director also will issue instructions for the grant-

ing, continuing, denying or revoking of clearance in accordance with the determination. If the determination of the Hearing Board is not unanimous, the Director shall forward the case to the Review Board. He also may forward to the Review Board cases which present novel issues or unusual circumstances.

(b) The determination of the Hearing Board as announced by the Director pursuant to paragraph (a) of this section shall be final subject only to:

(1) consideration by the Review Board at the request of the Director, the Secretary of Defense, or the Secretary of any military department; or

(2) reconsideration by the Hearing Board at the request of the Director on the ground of newly discovered evidence or for other good cause shown.

§ 67.4-8 *Action by the Review Board.*

(a) The Review Board will review each case submitted to it on the written record and will make its determination in each case by majority vote in accordance with the standard and criteria set forth in § 67.3. It may adopt, modify or reverse the findings or the determination of the Hearing Board. In the event the Review Board modifies the findings or reverses the determination of the Hearing Board, the Review Board determination shall be accompanied by a discussion of the evidence and the reasons relied upon for its action. If the decision is not unanimous, a minority opinion shall be filed.

(b) After the Review Board has reached its determination, the Director will notify the person concerned, the activity initially referring the case, and other interested agencies of the final determination in the case. The Director will also issue instructions for the granting, continuing, denying or revoking of clearance in accordance with the determination.

(c) Determinations of the Review Board shall be final, subject only to:

(1) Reconsideration on its own motion or at the request of the person concerned, addressed through the Director, on the ground of newly discovered evidence or for other good cause shown;

(2) Reconsideration by the Review Board at the request of the Secretary of Defense or the Secretary of any military department; or

(3) Reversal by the Secretary of Defense, or reversal by joint agreement of the Secretaries of the three military departments at the request of one of such Secretaries.

§ 67.5 *Miscellaneous.*

§ 67.5-1 *Pending cases.* (a) All cases pending before the Eastern, Central or Western Industrial Personnel Security Boards in which a Statement of Reasons has been issued before the effective date of this Part will be processed to completion in accordance with the provisions of the Industrial Personnel and Facility Security Clearance Program approved by the Secretaries of the Army, Navy and Air Force on May 4, 1953, as amended. Promptly after each such case has been completed or closed, those Boards will forward the file to the Director for inclusion in the Central Index File.

(b) All other cases pending on the effective date of this part will be processed under this part. The Eastern, Central and Western Industrial Personnel Security Boards will forward promptly to the Director files of all such cases for processing. Those Boards also will forward to the Director, for inclusion in the Central Index File, the files of all cases which have been completed or closed prior to the effective date of this part.

§ 67.5-2 *Reconsideration of prior decisions.* (a) Decisions of the Industrial Employment Review Board and of the Appeal Divisions of the Eastern, Central and Western Industrial Personnel Security Boards which denied or revoked a clearance may be reconsidered by the Review Board at the request of the person concerned, addressed through the Director, on the grounds of newly discovered evidence or for other good cause shown.

(b) Decisions of the Army-Navy-Air Force Personnel Security Board and of the Screening Divisions of the Eastern, Central, and Western Industrial Personnel Security Boards which denied or revoked a clearance may be reconsidered by the Screening Board at the request of the person concerned, addressed through the Director, for good cause shown.

(c) In cases where a clearance has been previously granted and an activity of a military department receives additional derogatory information which was not considered by a Board at the time it decided the case and the commander of the activity is of the opinion, after reviewing the complete file, including the record of any prior proceedings, that revocation of the prior clearance is warranted, he will forward the case to the Director, through appropriate channels, for referral to the Screening Board in accordance with § 67.4-3.

§ 67.5-3 *Notices to counsel or other representatives.* Where the person concerned designates in writing to the Director or to the Executive Secretary of a Hearing Board a lawyer or other individual to represent him in any proceeding under this part, such representative will be furnished a copy of all communications which are sent to the person concerned.

§ 67.5-4 *Monetary restitution.* In cases where a final determination is favorable to a contractor employee, the department whose activity originally forwarded the case to the Director will reimburse the contractor employee in an equitable amount for any loss of earnings during the interim resulting directly from a suspension of clearance. Such amount shall not exceed the difference between the amount the contractor employee would have earned at the rate he was receiving on the date of suspension and the amount of his interim net earnings. No contractor employee shall be compensated for any increase in his loss of earnings caused by his voluntary action in unduly delaying the processing of his case under this part.

§ 67.5-5 *Changes in existing directives.* This part supersedes the Industrial Personnel and Facility Security Clearance Program approved by the Secretaries of the Army, Navy and Air Force on 4 May 1953, as amended, and the provisions of any other directives which are inconsistent with this part.

Effective date. This regulation becomes effective sixty calendar days after it is approved by the Secretary of Defense.

Recommended: February 2, 1955.

ROBERT T. STEVENS,
Secretary of the Army.
C. S. THOMAS,
Secretary of the Navy.
H. E. TALBOTT,
Secretary of the Air Force.

Approved: February 2, 1955.

C. W. WILSON,
Secretary of Defense.

[F. R. Doc. 55-2128; Filed, Mar. 14, 1955;
8:51 a. m.]

Chapter V—Department of the Army

Subchapter F—Personnel

PART 578—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

BADGES

In § 578.61, revise paragraphs (a) (2), (c) and (d) to read as follows:

§ 578.61. *Qualification badges—(a) General.* . . .

(2) *Eligibility requirements.* Qualification badges, with the exception of the Motor Vehicle Driver and Mechanic Badge, are awarded only to members of the Armed Forces of the United States and civilian citizens of the United States. The Motor Vehicle Driver and Mechanic Badge designating motor mechanics, as distinguished from drivers, may be awarded to members of the Armed Forces of the United States and civilian citizens thereof employed by the Department of the Army in the capacity of mechanics.

(c) *Distinguished designation badges—(1) Purpose.* The distinguished designation badges are awarded to individuals of the Army and to civilians in recognition of a preeminent degree of achievement in target practice firing with the standard military service rifle or pistol.

(2) *Eligibility requirements.* (i) An individual of the Army will be designated as a Distinguished Marksman or Distinguished Pistol Shot when he has earned three credits toward distinguished designation: *Provided*, That at least one of the credits was earned by having been awarded the Excellence-in-Competition badge (paragraph (d) of this section) for achievement in the National Matches or in the All-Army Championships. A civilian will be designated by the Army as distinguished when for the third time he has qualified for award of the Excellence-in-Competition badge, provided that at least one

of these awards was won in the National Matches or for having placed among the upper fifty percent of the individuals determined to be entitled to such awards in either a major command competition or National Rifle Association Regional Championship match. Badges which were awarded prior to 1948 will be considered toward achievement of the distinguished designation under the rules of the match in which won. A credit granted by the National Board for the Promotion of Rifle Practice under the rules in effect for matches prior to 1948 will be considered toward the award of this badge the same as though an Excellence-in-Competition badge had been awarded.

(ii) The year in which a person first became eligible for designation by the Army as a distinguished shot is the year in which he is regarded as having attained the distinguished designation and for which he will be so designated.

(iii) In computing credits toward distinguished designation, only one credit per calendar year in any one individual or team match will be allowed.

(3) *Who may award.* The Adjutant General.

(4) *Description—(i) General.* The badge consists of a bar and a metal pendant indicating the distinguished designation. The name of the recipient and the year of attainment will be engraved on the reverse of the metal pendant.

(ii) *Distinguished marksman—(a) Bar.* Of gold, 1.8 inches in length, upon which is superimposed a shield of stars and stripes with the letters "U. S." thereon.

(b) *Pendant.* Of gold, a shield 1.5 inches in length, and 1.4 inches in width, in the center an enameled target between the words "Distinguished" and "Marksman."

(iii) *Distinguished pistol shot—(a) Bar.* Of gold 1.55 inches in length, upon which is superimposed a shield of stars and stripes with the letters "U. S." thereon.

(b) *Pendant.* Of gold, a shield 1.25 inches in length and 1.075 inches in width, in the center an enameled target between the words "Distinguished" and "Pistol Shot."

(5) *Badges to be retained.* Winners of distinguished designation badges will not part with them without authority of the Secretary of the Army and will hold them subject to inspection at any time.

(d) *Excellence in competition badge—(1) Purpose.* Excellence in competition badges are awarded to individuals in recognition of an eminent degree of achievement in target practice firing with the standard military service rifle or pistol.

(2) *Eligibility requirements.* (i) The number of badges which will be awarded in recognition of achievement in the National Matches, the All-Army Championships, Major Command Competitions or in National Rifle Association Regional Championships will depend primarily upon the number of "nondistinguished" participants in the match. In all competitions except those included in the

National Matches, the badge will be awarded only for excellence in individual competition. In the National Matches, the badge may be awarded for achievement in both individual and team competition. The conditions governing eligibility for award of the badge in the National Matches are prescribed by the National Board for the Promotion of Rifle Practice in joint regulations entitled "Rules and Regulations for National Matches." Comparable badges will be awarded to civilians by the Director of Civilian Marksmanship in accordance with regulations prescribed by the National Board for the Promotion of Rifle Practice. A badge for excellence in competition in a match conducted subsequent to 1947 will be awarded only to a person whose score in authorized competition constitutes a credit toward distinguished designation badge. The determination as to whether a badge for excellence in competition which has been awarded for achievement in a match conducted prior to 1948 may be considered toward the award of a distinguished designation badge will be in accordance with Army regulations in effect at the time such match was conducted.

(ii) In no case will an individual be awarded more than one badge of each type. Credits will be given in lieu of additional awards of the same badge.

(iii) Individuals who have either qualified for or attained the distinguished designation (paragraph (c) of this section) are ineligible for further awards of this badge. Any such individual who fraudulently accepts an additional award of the Excellence-in-Competition Badge when he is aware of his eligibility for distinguished designation or has been designated as a distinguished Marksman or Distinguished Pistol Shot will be subject to the provisions of paragraph (a) (3) of this section.

(3) *Who may award.* The Adjutant General upon recommendation of the Commanding General, Continental Army Command or the National Board for the Promotion of Rifle Practice as appropriate.

(4) *Description.* The badge for excellence in competition consists of a bar indicating whether competition was in a national or an area match, a clasp indicating whether awarded for rifle or pistol competition, and a metal pendant. The components are fastened together by rings.

(i) *Bar.* Of bronze. For national matches, rectangular $1\frac{1}{4}$ inches in length and $\frac{1}{4}$ inch in width, with oak leaves in the center. For area matches, $1\frac{3}{8}$ inches in length and $\frac{1}{2}$ inch in width with rounded ends, in the center a plain disk $\frac{3}{8}$ inch in diameter.

(ii) *Clasp.* Of bronze $1\frac{1}{8}$ inches in length and $\frac{1}{2}$ inch in height; crossed muskets for rifle matches, crossed pistols for pistol matches.

(iii) *Pendant.* Of bronze $1\frac{5}{16}$ inches in diameter, in the center a crossed Indian bow and arrows within a ring bearing 13 stars and surrounded by a wreath of oak leaves.

[CI, AR 600-70, 1 March 1955] (R. S. 161; 5 U. S. C. 22. Interprets or applies 43 Stat.

510, 44 Stat. 1095, 45 Stat. 786, as amended; 32 U. S. C. 181-181b)

[SEAL] HERBERT M. JONES,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 55-2129; Filed, Mar. 14, 1955;
8:51 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders

[Public Land Order 1084]

UTAH

RESERVING LANDS WITHIN THE WASATCH NATIONAL FOREST FOR USE OF THE FOREST SERVICE, DEPARTMENT OF AGRICULTURE, FOR RESEARCH PURPOSES

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36, 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the Wasatch National Forest in Utah, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as part of the Davis County Experimental Watershed, in connection with research projects being conducted in furtherance of the act of May 22, 1928 (45 Stat. 699; 16 U. S. C. 581, 581a-581k), as amended:

SALT LAKE MERIDIAN

T. 2 N., R. 1 E.,
Sec. 8, E $\frac{1}{2}$ E $\frac{1}{2}$.
T. 3 N., R. 1 E.,
Sec. 4, Lots 2, 3, and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 6, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 8, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$,
Sec. 14, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 20;
Sec. 22, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 24, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 28, E $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described aggregate 2,323.67 acres.

This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

ORME LEWIS,
Assistant Secretary of the Interior

MARCH 8, 1955.

[F. R. Doc. 55-2112; Filed, Mar. 14, 1955;
8:47 a. m.]

[Public Land Order 1085]

OREGON

RESERVATION OF LANDS WITHIN NATIONAL FORESTS AS ADMINISTRATIVE SITES, RECRE- ATION AREAS, OR FOR OTHER PUBLIC PURPOSES; AMENDMENT

Public Land Order No. 990 of August 11, 1954, appearing as Federal Register

Document 54-6334 (19 F. R. 5179) of the issue for August 17, 1954, is hereby amended by adding the following lands to the West Side Klamath Recreation Area:

WILLAMETTE MERIDIAN

ROGUE RIVER NATIONAL FOREST

West Side Klamath Recreation Area

T. 36 S., R. 6 E.,
Sec. 10, Lot 1, excepting patented area described as N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lot 2; Lot 3, excepting patented land described as N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Lot 4.

The tracts described contain 35 acres.

ORME LEWIS,
Assistant Secretary of the Interior

MARCH 8, 1955.

[F. R. Doc. 55-2113; Filed, Mar. 14, 1955;
8:47 a. m.]

[Public Land Order 1086]

ALASKA

AMENDING PUBLIC LAND ORDER NO. 1045 OF DECEMBER 28, 1954, WITHDRAWING PUB- LIC LANDS FOR THE DEPARTMENT OF THE ARMY FOR USE IN CONNECTION WITH THE HAINES-FAIRBANKS PRODUCTS PIPELINE SYSTEM

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The land description in Public Land Order No. 1045 of December 28, 1954, appearing as Federal Register Document 55-12 (20 F. R. 53) of the issue for January 4, 1955, is hereby amended to read as follows:

Commencing at USC&GS Station "Tann East Base" situated at latitude 63°20'54.148" North and Longitude 143°09'24.318" West; thence N. 12°53' E., 44.81 feet to a point on the center-line of the Alaska Highway; thence along said center-line N. 79°12' W., 7,563 feet to the True Point of Beginning for this description; thence continuing N. 79°12' W., 60 feet; thence N. 10°52'30" E., 1,450 feet; thence N. 79°07'30" W., 620 feet; thence N. 10°52'30" E., 600 feet; thence N. 79°07'30" W., 750 feet; thence N. 10°52'30" E., 1,450 feet; thence S. 79°07'30" E., 2,050 feet; thence S. 10°52'30" W., 1,450 feet; thence N. 79°07'30" W., 700 feet; thence S. 10°52'30" W., 600 feet; thence N. 79°07'30" W., 520 feet; thence S. 10°52'30" W., 1,449.92 feet to the point of beginning.

The tract described contains approximately 106.74 acres.

ORME LEWIS,
Assistant Secretary of the Interior

MARCH 8, 1955.

[F. R. Doc. 55-2114; Filed, Mar. 14, 1955;
8:47 a. m.]

[Public Land Order 1087]

ALASKA

PARTIAL REVOCATION OF EXECUTIVE ORDERS NO. 5364 OF JUNE 5, 1930 AND NO. 9153- A OF APRIL 30, 1942; WITHDRAWING POR- TIONS OF THE RELEASED LANDS FOR USE OF THE DEPARTMENT OF THE NAVY AND THE DEPARTMENT OF THE ARMY

By virtue of the authority vested in the President by section 2380 of the Revised

Statutes (43 U. S. C. 711) and section 1 of the act of June 25, 1910, Ch. 421 (36 Stat. 847; 43 U. S. C. 141) and otherwise and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Order No. 5364 of June 5, 1930, withdrawing certain public lands on Unalaska Island, Alaska, for use of the Department of the Navy is hereby revoked so far as it affects the following-described lands:

Starting at a point on the North shore of Erskine Bay at a point of Longitude 166°34'00" West and approximate Latitude 53°46'00" North; thence South across Erskine Bay to Latitude 53°43'00" North; thence West to Longitude 166°50'00" West; thence North to Latitude 53°51'00" North; thence East to Longitude 166°38'00" West; thence South to Latitude 53°49'00" North; thence East to Longitude 166°34'00" West; thence South to the shore on Erskine Bay and the place of beginning.

The area described aggregates approximately 60,441 acres.

2. Executive Order No. 9153-A of April 30, 1942, withdrawing public lands in Alaska for use of the War Department for military purposes, which was partially revoked by Public Land Order No. 827 of May 16, 1952, is hereby revoked so far as it affects the following-described lands, referred to as Tract No. 1 and Tract No. 2 in said order:

TRACT NO. 1

Beginning at a point on line of mean high tide on north shore of Makushin Bay, Unalaska Island, 53°45'31" N. latitude, 166°55' W. longitude, as shown on U. S. Coast and Geodetic Survey Chart No. 8802; Thence from said initial point, by metes and bounds; North across Unalaska Island to line of mean high tide on Bering Sea; Easterly and southwesterly around Cape Cheerful, Cape Kaletka, Erskine Point and Brundage Head along line of mean high tide with meanders of Bering Sea, Unalaska Bay, Kaletka Bay, Unalga Pass, Beaver Inlet, and Erskine Bay to the head of Erskine Bay; Southwesterly on straight line across Unalaska Island to the head of Portage Bay at mean high tide; Westerly and northwesterly along shore of Portage Bay and Makushin Bay at mean high tide around Cathedral Point to the point of beginning.

The area described, including both public and non-public lands, aggregates approximately 200,000 acres.

TRACT NO. 2

All of Hog Island, in Unalaska Bay, near Unalaska Island, as shown on U. S. Coast and Geodetic Survey Chart No. 9007.

The area described aggregates 110 acres.

Excepting from tract No. 1, however, the following described areas, which shall remain within the withdrawal created by Executive Order No. 9153-A.

Cape Wislow A. W. S. Station

(a) A tract of land at Cape Wislow lying between latitude 53°59'08" N., and the Bering Sea; and between longitude 166°43'11" W., and 166°46'14" W.

The tract described contains approximately 2,000 acres.

Fort Learnard

(b) A tract of land at Elder Point lying between latitudes 53°56'27" N., and 53°58'40" N., and between Unalaska Bay and longitude 166°38'41" W.

The tract described contains approximately 2,200 acres.

Fort Brumback

(c) A tract of land on Summer Bay lying between latitudes 53°53'47" N., and 53°55'18" N., and lying west of longitude 166°25'00" W.

The tract described contains approximately 1,500 acres.

Constantine Point Base End Station

(d) A tract of land on Unalaska Bay lying north of latitude 53°56'22" N., and west of longitude 166°25'00" W.

The tract described contains approximately 650 acres.

Erskine Point Fire Control Station

(e) A tract of land at Erskine Point between Kalekta Bay and Unalga Pass lying north of latitude 53°57'56" N.

The tract described contains approximately 700 acres.

Ugadaga Bay Fire Control Station

(f) A tract of land on Ugadaga Bay and Beaver Inlet lying south of latitude 53°50'45" N., and east of longitude 166°25'00" W.

The tract described contains approximately 800 acres.

3. Subject to valid existing rights, the following-described public lands, which are a portion of the lands described in paragraph 2 of this order, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and the mineral-leasing laws, and reserved for use of the Department of the Navy for military purposes:

(a) All of Hog Island, in Unalaska Bay, near Unalaska Island, as shown on U. S. Coast and Geodetic Survey Chart No. 9007.

The area described aggregates 110 acres.

(b) Beginning at a point identified as C. & G. S. triangulation Station "Ober," latitude 53°51'25.038" N., longitude 166°33'41.314" W., located on the south shore of Captains Bay, Unalaska Island, thence South, along said longitude to intersection with latitude 53°48'00" N., East, along said latitude to intersection with longitude 166°31'35" W., North, along said longitude to intersection with latitude 53°50'48" N., West, along said latitude to intersection with longitude 166°32'20" W., North, along said longitude to intersection with southwest boundary of Unalaska Townsite Reservation by Executive Order 8573 of October 21, 1940; Northwesterly, along south boundary of the Townsite Reservation to a point on the south shore of Captains Bay; Southwesterly, along shore of Captains Bay to point of beginning.

The tract described contains approximately 3,500 acres.

4. Subject to valid existing rights, the following-described public land is hereby withdrawn from sale or disposal and reserved for use of the Department of the Army in connection with the Alaska Communication System:

Beginning at Corner No. 1 M. C., U. S. Survey No. 2567, thence S. 44° 42' W., 114.48 feet to a point on line 2-3, U. S. Survey No. 1946, N. 42° 52' W., 157.23 feet to corner No. 3, U. S. Survey 1946, S. 47° 04' W., 393.36 feet to corner No. 4, U. S. Survey 1946, S. 43° 04' E., 173.45 feet on line 1-4, U. S. Survey 1946, S. 44° 42' W., 342.72 feet, West 422.06 feet, N. 44° 42' E., 1,143.11 feet to a

point on the meander line of U. S. Survey 2567. Thence along the meander line of said survey the following three courses, S. 42° 34' E., 25.24 feet, S. 41° 34' E., 144.54 feet, S. 51° 35' E., 131.34 feet to point of beginning.

The tract described contains 5.10 acres.

5. At 10:00 a. m. on the 35th day after the date of this order the unappropriated, unreserved public lands affected by this order shall be opened to settlement under the homestead laws or the Alaska Homestead Act of May 26, 1934 (48 Stat. 809; 48 U. S. C. 461) or the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended, and to those forms of appropriation only by qualified veterans of World War II for whose services recognition is granted by the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended, and by other qualified persons entitled to credit for service under the said act. Commencing at 10:00 a. m. on the 126th day after the date of this order any of such lands not settled upon by veterans or other persons entitled to credit for service shall become subject to settlement and other forms of appropriation by the public generally in accordance with appropriate laws and regulations.

Veterans' preference-right applications under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended, may be filed on or before 10:00 a. m. on the 35th day after the date of this order, and those covering the same land shall be treated as though simultaneously filed at that time. Applications filed under the act after that time and during the succeeding 91 days shall be considered in the order of filing. Applications by the general public under the public land laws, filed on or before 10:00 a. m. on the 126th day after the date of this order shall be treated as though simultaneously filed at that time, where the applications are for the same lands; otherwise, priority of filing shall govern.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Anchorage, Alaska.

ORME LEWIS,

Assistant Secretary of the Interior.

MARCH 8, 1955.

[F. R. Doc. 55-2115; Filed, Mar. 14, 1955; 8:48 a. m.]

[Public Land Order 1088]

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE ARMY AS AN AMMUNITION STORAGE SITE; PARTIALLY REVOKING EXECUTIVE ORDER NO. 1919½ OF APRIL 21, 1914, PUBLIC LAND ORDER NO. 219 OF MARCH 28, 1944, AND PUBLIC LAND ORDER NO. 396 OF AUGUST 19, 1947

By virtue of the authority vested in the President by section 1 of the act of March 12, 1914 (38 Stat. 305, 307; 48 U. S. C. 303, 304, 307) and the act of June 4, 1897 (30 Stat. 11, 36; 16 U. S. C. 473), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for use of the Department of the Army as an Ammunition Storage Site:

Commencing at U. S. E. D. Station "A" situated on the center line of the Alaska Railroad at railroad station 103+00; thence S. 71°18' E. along said railroad center line for a distance of approximately 2335 feet to a point; thence S. 18°42' W. for a distance of 100 feet to the True Point of Beginning for this description; thence S. 8°45' W. for a distance of 1615 feet to a point; thence S. 48°36' W. for a distance of 3015 feet to a point; thence N. 41°24' W. for a distance of 3205 feet to a point; thence N. 48°36' E. for a distance of 2960 feet to a point that is 100 feet southwest of the center line of the Alaska Railroad when measured at right angles thereto; thence S. 71°18' E. 100 feet from and parallel to said center line, for a distance of 2500 feet to the True Point of Beginning.

The tract described contains approximately 265 acres.

This order shall take precedence over but not otherwise affect the Proclamation of July 23, 1907, withdrawing lands for national forest purposes, so far as it affects the above-described land.

Executive Order No. 1919½ of April 21, 1914, reserving certain lands in Alaska for townsite purposes, and Public Land Order No. 219 of March 28, 1944, enlarging the reservation made by such Executive order, are hereby revoked so far as they affect portions of the above-described lands.

Public Land Order No. 396 of August 19, 1947, which reserved certain lands for use of The Alaska Railroad is hereby revoked so far as it affects the following-described lands: *Provided*, That The Alaska Railroad will have access to the land to maintain or repair the dikes along the banks of O'Neils Creek and that the Army will make no alterations of the flow channels of the creek within one thousand feet of the railroad without first obtaining the consent of The Alaska Railroad.

Beginning at a point which bears S. 18° 42' W., 100.00 feet from the center line of the main track of The Alaska Railroad, Passage

Canal Connection, at survey station "B" 79 plus 65.00, Mileage F-2.07. From the point of beginning, Location Monument Station "A," established by the U. S. Army, Alaska, District Engineer, at coordinate point N. 9,944.44, E. 142,565.70 marked by a concrete monument set at subgrade in the center line of the main track at survey station "B" 103 plus 00, bears N. 68° 50' 52" W., 2,237.14 feet.

From the point of beginning, thence S. 8° 45' W., 456.87 feet to a point on the line between Corner No. 9 and Corner No. 10 of Public Land Order No. 396; thence along the said line N. 71° 18' W. 297.72 feet; thence S. 78° 42' W. 1,760.00 feet; thence N. 38° 16' W., 825.46 feet; thence N. 18° 42' E., 880.00 feet to a point which lies S. 18° 42' W., 100.00 feet from the center line of the main track at survey station "B" 104 plus 00; thence S. 71° 18' E., 2,435.00 feet to the point of beginning.

The tract described contains 51.36 acres, which are included in the withdrawal made by this order.

ORME LEWIS,
Assistant Secretary of the Interior

MARCH 8, 1955.

[F. R. Doc. 55-2116; Filed, Mar. 14, 1955; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Bureau Order 551, Amdt. 12]

REDELEGATIONS OF AUTHORITY

Order No. 551, as amended (16 F. R. 2939, 5456, 7467, 8252; 17 F. R. 3516, 7552; 18 F. R. 7305 and 19 F. R. 1936, 3482, 3971, 4544, 4585, 7416) is further amended as hereinafter indicated.

1. Section 4 under the heading, Functions Relating to Indian Lands and Minerals, is revised and amended to read as follows:

SEC. 4. *Sales, fee patents, and other matters in 25 CFR Part 241.* The taking of action with respect to those matters set forth in 25 CFR Part 241, provided that the authority delegated in this section shall not be deemed to enlarge the authority delegated in section 132 of this order with respect to the approval of mortgages and deeds of trust.

2. A new section 400, to read as follows, is added:

SEC. 400. *Repeals.* The following provisions of this order are repealed:

- Section 5.
- Section 6.
- Section 7.
- Section 13.
- Section 17.

The heading Functions Relating to Supply Contracts and section 300 thereunder.

The heading Functions Relating to Construction Contracts and section 305 thereunder.

GLENN L. EMMONS,
Commissioner

FEBRUARY 17, 1955.

[F. R. Doc. 55-2106; Filed, Mar. 14, 1955; 8:45 a. m.]

Bureau of Land Management

IDAHO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

The State of Idaho has certified that the hereinafter-described lands patented to the State under the provisions of section 4 of the act of August 18, 1894 (28 Stat. 422; 43 U. S. C. Sec. 641) as amended, commonly known as the Carey Act, have not been reclaimed, as required by the Carey Act, and that water is not available for the irrigation of these tracts. The State of Idaho, therefore, has reconveyed the lands to the United States:

BOISE MERIDIAN, IDAHO

- T. 3 N., R. 26 E.,
Sec. 13, SW¼SW¼.
- Sec. 29, SW¼NE¼.
- T. 4 N., R. 26 E.,
Sec. 29, NW¼SW¼.

The areas described total 120 acres.

The lands described are located in Idaho Grazing District No. 3. These lands are located near Arco, Idaho, at an elevation of approximately 5,325 feet. The topography is undulating plain, the soil being silt loam with localized gravel deposits, with a sagebrush-grass cover. These are grazing lands, portions of which are suitable for irrigated farming, provided an adequate source of water can be developed.

No application for these lands will be allowed under the homestead, desert-land, small-tract or any other nonmineral public land law, unless the lands have already been classified as valuable

or suitable for such type of classification or shall be so classified upon consideration of an application.

Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

This order shall not otherwise become effective to change the status of the described land until 10:00 a. m. on the 35th day after the date of this order. At that time, the said lands shall become subject to application, petition, location and selection under the applicable public-land laws, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws and the 91-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-284), as amended. All applications filed pursuant to the Veterans' Preference Act of 1944, on or before 10:00 a. m. of the 35th day after the date of this order shall be treated as though simultaneously filed at that time. All other applications under the public-land laws filed on or before 10:00 a. m. of the 126th day after the date of this order shall be treated as though simultaneously filed at that time.

Inquiries concerning these lands shall be addressed to Manager, Land Office, Box 2237, Boise, Idaho.

J. R. PENNY,
State Supervisor

MARCH 3, 1955.

[F. R. Doc. 55-2107; Filed, Mar. 14, 1955; 8:45 a. m.]

ALASKA

TRANSFER OF JURISDICTION OF INTEREST

MARCH 7, 1955.

Notice of proposed transfer of jurisdiction was published in the FEDERAL REGISTER February 1, 1955 (F. R. Doc. 55-948), and no protests having been received within the time allowed, now, by virtue of the authority contained in section 7 of the Public Works Act of August 24, 1949 (63 Stat. 629, 48 U. S. C. 486e) and pursuant to Chapter 3.1, section 1.2 (u) (5) of Bureau of Land Management Redlegation Order No. 541, of April 21, 1954, it is ordered as follows:

Jurisdiction of interest in and to all of Block 33C of the East Addition to Anchorage Townsite, Alaska, shown on a supplemental plat approved May 6, 1953, and officially filed in the Anchorage Land Office June 1, 1953, is hereby transferred to the Alaska Public Works, Office of Territories, Department of the Interior, and any subsequent conveyance which may be made of the lands to a public body under authority of the act of August 24, 1949, supra, the instrument of conveyance shall contain a provision reserving a right-of-way for ditches and canals constructed under authority of the United States, and reserving also to the United States (1) all oil and gas and other mineral deposits in the lands, together with the rights of the United States, its agents, representatives, lessees or permittees, to prospect for, mine and remove the same under such regulations as the Secretary may prescribe, (2) a right-of-way for the construction of railroads, telegraph and telephone lines in accordance with the act of March 12, 1914 (38 Stat. 305; 48 U. S. C. 305) and (3) such other reservations, covenants, terms, and conditions as may be deemed proper by the Alaska Public Works, Office of Territories, as well as those which may be required for the protection of the Department of the Interior or any agency thereof.

LOWELL M. PUCKETT,
Area Administrator

[F. R. Doc. 55-2108; Filed, Mar. 14, 1955;
8:45 a. m.]

IDAHO

NOTICE OF PROPOSED WITHDRAWAL AND
RESERVATION OF LANDS

MARCH 3, 1955.

An application, Serial No. Idaho 04318, for the withdrawal from location, sale, and entry, under the General Mining Laws of the lands described below, subject to existing valid claims, was filed May 20, 1953, by the United States Department of Agriculture.

The purpose of the proposed withdrawal: Administrative sites and recreation areas within the St. Joe National Forest.

For a period of thirty days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor for Idaho, Bureau of Land

Management, Box 2237, Boise, Idaho. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

BEARSKULL ADMINISTRATIVE SITE

T. 43 N., R. 6 E.,
Sec. 2, NW $\frac{1}{4}$ Lot 4.

CANYON CREEK ADMINISTRATIVE SITE

T. 42 N., R. 6 E.,
Sec. 12, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

CHICKADEE ADMINISTRATIVE SITE

T. 42 N., R. 6 E.,
Sec. 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

ROUNDTOP ADMINISTRATIVE SITE

T. 44 N., R. 5 E.,
Sec. 32, SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

TWIN CREEK ADMINISTRATIVE SITE

T. 43 N., R. 5 E.,
Sec. 12, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.

NUGGET ADMINISTRATIVE SITE

T. 45 N., R. 7 E.,
Sec. 27, Lots 3, 4.

SLATE CREEK ADMINISTRATIVE SITE

T. 47 N., R. 4 E.,
Sec. 26, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$.

ELK PRAIRIE ADMINISTRATIVE SITE

T. 42 N., R. 8 E.,
Sec. 3, W $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 4, E $\frac{1}{2}$ SE $\frac{1}{4}$.

GOLD CREEK ADMINISTRATIVE SITE

T. 44 N., R. 8 E.,
Sec. 23, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 24, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

BROKEN LEG ADMINISTRATIVE SITE

T. 42 N., R. 9 E.,
Sec. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

RED IVES ADMINISTRATIVE SITE

T. 42 N., R. 9 E.,
Sec. 20, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 29, W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$.

MAMMOTH SPRINGS CAMPGROUND

T. 43 N., R. 7 E.,
Sec. 6, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

MONTANA CREEK CAMPGROUND

T. 43 N., R. 6 E.,
Sec. 27, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

LITTLE NORTH FORK CAMPGROUND

T. 43 N., R. 5 E.,
Sec. 17, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

HEMLOCK SPRINGS CAMPGROUND

T. 42 N., R. 4 E.,
Sec. 5, Lots 3, 4;
Sec. 6, Lots 1, 2.

JUG CAMP CAMPGROUND

T. 42 N., R. 5 E.,
Sec. 3, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

BOEHLS FORKS CAMPGROUND

T. 42 N., R. 5 E.,
Sec. 15, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 16, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

PACK SADDLE CAMPGROUND

T. 45 N., R. 6 E.,
Sec. 20, S $\frac{1}{2}$ Lot 3, S $\frac{1}{2}$ Lot 4.

CODDINGTON CAMPGROUND

T. 45 N., R. 6 E.,
Sec. 20, SW $\frac{1}{4}$ Lot 1.

TOURIST CREEK CAMPGROUND

T. 45 N., R. 6 E.,
Sec. 14, Lot 3;
Sec. 22, S $\frac{1}{2}$ Lot 1;
Sec. 23, Lot 6.

TURNER CAMPGROUND

T. 45 N., R. 6 E.,
Sec. 23, Lot 1, except N $\frac{1}{2}$ N $\frac{1}{2}$, Lot 3.

BIRD CREEK CAMPGROUND

T. 45 N., R. 6 E.,
Sec. 24, W $\frac{1}{2}$ W $\frac{1}{2}$ Lot 1, Lot 3.

TIN CAN HILL CAMPGROUND

T. 45 N., R. 7 E.,
Sec. 19, S $\frac{1}{2}$ Lot 2, S $\frac{1}{2}$ S $\frac{1}{2}$ Lot 3.

PROSPECTOR CREEK CAMPGROUND

T. 45 N., R. 7 E.,
Sec. 19, Lot 4;
Sec. 20, Lot 7.

HALFWAY CAMPGROUND

T. 45 N., R. 7 E.,
Sec. 21, Lot 6, W $\frac{1}{2}$ Lot 7;
Sec. 28, W $\frac{1}{2}$ Lot 1, Lot 4.

BOTTLE CREEK CAMPGROUND

T. 45 N., R. 7 E.,
Sec. 20, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

EAGLE CREEK CAMPGROUND

T. 45 N., R. 7 E.,
Sec. 27, Lot 9.

CRADDOCK RIDGE CAMPGROUND

T. 45 N., R. 7 E.,
Sec. 34, SE $\frac{1}{4}$ Lot 1.

LINTZ CAMPGROUND

T. 44 N., R. 8 E.,
Sec. 14, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

CONRAD CROSSING CAMPGROUND

T. 44 N., R. 8 E.,
Sec. 14, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

GOLD CREEK CAMPGROUND

T. 44 N., R. 8 E.,
Sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

SIMMONS CREEK CAMPGROUND

T. 44 N., R. 8 E.,
Sec. 24, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

FLY FLAT CAMPGROUND

T. 44 N., R. 8 E.,
Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

BEAVER CREEK CAMPGROUND

T. 43 N., R. 9 E.,
Sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

SPRUCE TREE CAMPGROUND

T. 43 N., R. 9 E.,
Sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

RUBY CREEK CAMPGROUND

T. 42 N., R. 9 E.,
Sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

BAD BEAR CAMPGROUND

T. 43 N., R. 8 E.,
Sec. 22, NW¼NW¼NE¼.

BEAN CREEK CAMPGROUND

T. 42 N., R. 9 E.,
Sec. 12, N½NE¼NW¼.

Total area. 1675.22 acres.

J. R. PENNY,
State Supervisor

[F. R. Doc. 55-2109; Filed, Mar. 14, 1955;
8:46 a. m.]

ALASKA**ALASKA PUBLIC SALE ACT CLASSIFICATION NO. 18**

MARCH 7, 1955.

Pursuant to the authority delegated to me under section 1.5 (a) of Order No. 541 of April 21, 1954, Bureau of Land Management, the following described land is classified for disposal under the Alaska Public Sale Act of August 30, 1949 (63 Stat. 679; 48 U. S. C. 364a-364e) for commercial and industrial purposes:

Lots 9 and 22, Section 11, T. 14 N., R. 2 W., Seward Meridian.

Containing 2.8 acres.

The above land will be offered for sale in accordance with regulations contained in 43 CFR 75.23 to 75.40. If no bid at the minimum acceptable price or above is made, the land may be held for future offering or the classification may be rescinded.

LOWELL M. PUCKETT,
Area Administrator

[F. R. Doc. 55-2110; Filed, Mar. 14, 1955;
8:46 a. m.]

ALASKA**NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS**

MARCH 7, 1955.

An application, serial number Anchorage 028942, for the withdrawal from all forms of appropriation under the public land laws, including the mining laws, of the lands described below was filed on January 21, 1955, by Fish and Wildlife Service.

The purpose of the proposed withdrawal is for a National Wildlife Refuge to promote conservation and perpetuation of the sea-otter resource.

Grazing land is also an important resource of Simeonof Island but the proposed use of the island as a wildlife refuge will in no way restrict its range use and development through the raising of cattle or other livestock thereon. Such grazing use, however, will be limited to one grazing lease at any one time. Such leases will be issued by the Bureau of Land Management.

For a period of 60 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Area Administrator, Area 4, Bureau of Land Management, Department of the Interior at Anchor-

age, Alaska. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

All of Simeonof Island which is located in the Shumagin Group at approximate Latitude 54°53' N., Longitude 159°15' W., together with all adjoining areas of water extending one mile beyond low water, and including any islands within said one mile area.

Land surface aggregating approximately 10,442 acres.

LOWELL M. PUCKETT,
Area Administrator

[F. R. Doc. 55-2111; Filed, Mar. 14, 1955;
8:46 a. m.]

DEPARTMENT OF JUSTICE**Office of Alien Property**

MARGARETTA SBARRA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Margaretta Sbarra, also known as Margherita Sbarra, Margherita Sbarra and Sbarra Margherita Pelfini, Cossogno, Novara, Italy, Claim No. 61474; Vesting Order No. 4855; all right, title, interest and claim of any kind or character whatsoever of Margaretta Sbarra in and to the Estate of John Pelfini, also known as John Emilio Pelfini and Giovanni Pelfini, deceased.

Executed at Washington, D. C., on March 7, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 55-2130; Filed, Mar. 14, 1955;
8:51 a. m.]

DEPARTMENT OF LABOR**Wage and Hour Division****LEARNER EMPLOYMENT CERTIFICATES****ISSUANCE TO VARIOUS INDUSTRIES**

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards

Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended July 5, 1954, 19 F. R. 3326)

Angelica Uniform Co., Eminence, Mo., effective 3-7-55 to 9-6-56; 15 learners for plant expansion purposes (washable service apparel).

Belmill Manufacturing Co., 437 Perry Street, Marseilles, Ill., effective 3-7-55 to 3-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (outerwear jackets).

Biflex Bishopville, Inc., Bishopville, S. C., effective 3-20-55 to 3-19-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (brasieres, garter belts).

Blue Bell, Inc., Elkton, Va., effective 4-1-55 to 3-31-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Blue Bell, Inc., Mt. Jackson, Va., effective 4-1-55 to 3-31-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Blue Bell, Inc., Woodstock, Va., effective 3-6-55 to 3-5-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Blue Bell, Inc., Ruckersville, Va., effective 3-6-55 to 3-5-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Blue Bell, Inc., Madison, Va., effective 4-1-55 to 3-31-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Blue Bell, Inc., Shenandoah, Va., effective 4-1-55 to 3-31-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Blue Bell, Inc., Luray, Va., effective 3-23-55 to 9-22-55; 10 learners for plant expansion purposes (dungarees).

Blue Bell, Inc., Luray, Va., effective 4-1-55 to 3-31-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Carwood Manufacturing Co., Monroe No. 2, Atlanta Highway, Monroe, Ga., effective 3-2-55 to 9-1-55; 100 learners for plant expansion purposes (cotton work and leisure pants).

Devil Dog Manufacturing Co., Inc., Zebulon, N. C., effective 3-2-55 to 3-1-56; 10 learners for normal labor turnover purposes (children's cotton boxer longies).

Dolores of Florida, Inc., 1311 East Main Street, Lakeland, Fla., effective 3-3-55 to

9-2-55; 60 learners for plant expansion purposes (brassieres, girdles and garter belts).

K & K Novelty Co., 882 Market Street, Kingston, Pa., effective 3-19-55 to 3-18-56; 5 learners for normal labor turnover purposes (learners are not authorized to be employed at subminimum wage rates in the production of separate skirts) (pleating of ladies' dresses, skirts and blouses).

Lady Ester Lingerie Corp., 10th and Walnut Streets, Berwick, Pa., effective 3-16-55 to 3-15-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (slips).

Martin Shirt Co., 27 East Poplar Street, Shenandoah, Pa., effective 3-7-55 to 3-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (ladies' blouses).

Monticello Shirt Co., 706 Forrest Street, Charlottesville, Va., effective 3-4-55 to 3-3-56; 5 learners for normal labor turnover purposes in the production of sport shirts only (men's cotton sport shirts).

Movie Star of Poplarville, Poplarville, Miss., effective 3-25-55 to 3-24-56; 10 learners for normal labor turnover purposes (women's slips, petticoats, and gowns).

Perfection Garment Co., Inc., Keyser, W. Va., effective 3-7-55 to 3-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's and ladies' dresses).

Perfection Garment Co., Inc., Martinsburg and Ranson, W. Va., effective 3-7-55 to 3-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's and ladies' dresses).

Rob Roy Co., Inc., Cambridge, Md., effective 3-19-55 to 3-18-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (boys' sports shirts).

Henry I. Siegel Co., Inc., Dickson, Tenn., effective 3-7-55 to 3-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' shirts and pants).

Henry I. Siegel Co., Inc., Trezevant, Tenn., effective 3-7-55 to 3-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' pants).

Henry I. Siegel Co., Inc., Bruceton, Tenn., effective 3-7-55 to 3-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' pants, coats, jackets and dungarees).

Henry I. Siegel Co., Inc., Fulton, Ky., effective 3-7-55 to 3-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' pants).

Sorbeau Juvenile Manufacturing Co., 821 Central Avenue, Dubuque, Iowa, effective 3-2-55 to 3-1-56; 10 learners for normal labor turnover purposes (infants' layette garments, pajamas, and playwear).

Spring Hope Manufacturing Co., Inc., Spring Hope, N. C., effective 3-2-55 to 3-1-56; 10 learners for normal labor turnover purposes (boys' shirts and boxer longies).

Standard Shirt Co., McClure, Pa., effective 3-3-55 to 3-2-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (pajamas).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended July 13, 1953, 18 F. R. 3292)

Good Luck Glove Co., Metropolis, Ill., effective 3-10-55 to 3-9-56; 10 percent of the total number of machine stitchers, for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.46, as amended May 3, 1954, 19 F. R. 1761)

No. 51—3

Hansen Hosiery Mills, Inc., 176 South Coldbrook Avenue, Chambersburg, Pa., effective 3-10-55 to 3-9-56; 5 learners for normal labor turnover purposes (full-fashioned).

The Locke Hosiery Mills, 4937 Mulberry Street, Philadelphia, Pa., effective 3-4-55 to 3-3-56; 5 learners for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952, 16 F. R. 12866)

East Tennessee Undergarment Co., Inc., 707 East Elk Avenue, Elizabethton, Tenn., effective 3-7-55 to 3-6-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' knit rayon underwear).

Fitzgerald Underwear Corp., Fitzgerald, Ga., effective 3-10-55 to 3-9-56; 5 learners for normal labor turnover purposes (ladies' and children's underwear).

Monticello Shirt Co., 706 Forrest Street, Charlottesville, Va., effective 3-4-55 to 3-3-56; 5 learners for normal labor turnover purposes in the production of shorts only (men's cotton shorts).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.12, as amended January 29, 1955, 20 F. R. 645)

The following special learner certificate was issued in Puerto Rico to the company hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

West Indies Tanning, Inc., 38 G. Benítez Street, Caguas, P. R., effective 3-1-55 to 8-31-55; 10 learners in the occupations of spraying and seasoning, 240 hours at 30 cents an hour; shaving, 240 hours at 30 cents an hour, 240 hours at 35 cents an hour; putting out, staking, 240 hours at 30 cents an hour; rolling and glazing, 240 hours at 30 cents an hour, 80 hours at 35 cents an hour; embossing, 240 hours at 30 cents an hour, 80 hours at 35 cents an hour; tacking, 240 hours at 30 cents an hour, mills and paddles, 240 hours at 30 cents an hour; trimming, 160 hours at 30 cents an hour (leather tanning and finishing).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 7th day of March 1955.

MILTON BROOKE,
Authorized Representative
of the Administrator.

[F. R. Doc. 55-2117; Filed, Mar. 14, 1955; 8:49 a. m.]

CIVIL AERONAUTICS BOARD

[Docket 6997]

CAPITAL AIRLINES, INC., NORTHWEST-NEW YORK AIRWAYS RATE INVESTIGATION

NOTICE OF CANCELLATION OF PREHEARING CONFERENCE

In the matter of the complaint of Capital Airlines, Inc., as to certain passenger fares and related rules proposed jointly by Northwest Airlines and New York Airways with a request for suspension of same.

Notice is hereby given that the prehearing conference in the above-entitled proceeding, originally assigned for March 3 and subsequently postponed to March 14, 1955, is hereby cancelled.

Dated at Washington, D. C., March 10, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-2131; Filed, Mar. 14, 1955; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3329]

DUQUESNE LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION IN RESPECT OF FEES AND EXPENSES

MARCH 9, 1955.

The Commission, by order dated January 10, 1955, granted an amended application filed by Duquesne Light Company ("Duquesne") a public utility company and a subsidiary of Philadelphia Company, Standard Gas and Electric Company, and Standard Power and Light Corporation, all registered holding companies, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 thereunder regarding the proposed issuance and sale of 450,000 shares of common stock for an aggregate consideration of \$15,619,050 and 160,000 shares of a new series of preferred stock for an aggregate consideration of \$8,068,800 subject to a reservation of jurisdiction with respect to all fees and expenses for legal and accounting services, including those of counsel for the underwriters.

Duquesne has filed a further amendment supplying additional data including detailed memoranda in support of said fees and expenses which are as follows:

Company counsel, Reed, Smith, Shaw & McClay, fees of \$10,000 in connection with the sale of the common stock and \$5,000 in connection with the sale of the preferred stock, together with out-of-pocket expenses aggregating \$1,748.68 allocated equally between the issues of common stock and preferred stock; counsel for the underwriters, Cahill, Gordon, Reindel & Ohl, fees of \$6,000 in connection with the sale of the common stock and \$4,000 in connection with the sale of the preferred stock, together with out-of-pocket expenses of \$220 allocated

equally between the two issues; and fees of accountants, Haskins & Sells, aggregating \$4,011 and expenses of \$108.91, such fees and expenses being allocated in the amounts of \$2,716.54 to the common stock sale and \$1,403.37 to the preferred stock sale.

The Commission having considered the record made in respect of the above fees and expenses and finding that they are not unreasonable and deeming it appropriate in the public interest and the interest of investors and consumers to release jurisdiction in respect thereof:

It is ordered, That the jurisdiction heretofore reserved herein with respect to the above fees and expenses be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 55-2125; Filed, Mar. 14, 1955;
8:51 a. m.]

[File No. 70-3348]

WEST TEXAS UTILITIES CO.

NOTICE OF FILING REGARDING ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS AT COMPETITIVE BIDDING

MARCH 9, 1955.

Notice is hereby given that West Texas Utilities Company ("West Texas") an electric utility subsidiary of Central and South West Corporation, a registered holding company, has filed a declaration with this Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935 ("act") Declarant has designated sections 6 (a) and 7 of the act and Rule U-50 promulgated thereunder as applicable to said declaration.

All interested persons are referred to said declaration, which is on file in the offices of the Commission, for a statement of the transaction proposed therein which is summarized as follows:

West Texas proposes to issue and sell at competitive bidding, pursuant to Rule U-50 under the act, \$7,500,000 principal amount of first mortgage bonds, Series D, -- percent, to be dated April 1, 1955, and to mature April 1, 1985. Said bonds will be issued under and secured by an Indenture of Mortgage dated August 1, 1943, to Harris Trust and Savings Bank and Harold Eckhart, as Trustees, as amended by existing Indentures supplemental thereto, and by a proposed supplemental indenture to be dated April 1, 1955, between West Texas and Harris Trust and Savings Bank and W. H. Milsted (successor to Harold Eckhart). The price to be paid to the company for the bonds (which, exclusive of accrued interest thereon, shall be not less than 100 percent nor more than 102.75 percent of the principal amount of the bonds) and the interest rate (which shall be a multiple of $\frac{1}{8}$ of 1 percent) will be determined by competitive bidding.

The net proceeds (exclusive of accrued interest) to be received by West Texas from the issuance and sale of the \$7,500,000 principal amount of its Series D bonds will be applied by the company, to the extent of \$5,500,000, to the prepay-

ment of bank loans, and the balance thereof will be used by West Texas to pay a part of the cost of its 1955 and 1956 construction programs which it estimates will amount to approximately \$11,400,000 in the aggregate.

West Texas represents that no State commission and no Federal regulatory agency, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, at any time not later than March 24, 1955, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on this matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said filing which he proposes to controvert, or he may request to be notified if the Commission should order a hearing thereon. Any such request should bear the caption of this Notice and should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after March 24, 1955, said declaration, as filed or as it may hereafter be amended, may be permitted to become effective pursuant to Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt said transaction as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 55-2126; Filed, Mar. 14, 1955;
8:51 a. m.]

[File No. 70-3349]

AMERICAN GAS AND ELECTRIC CO. AND APPALACHIAN ELECTRIC POWER CO.

NOTICE OF FILING REGARDING SALE OF UTILITY ASSETS

MARCH 9, 1955.

Notice is hereby given that American Gas and Electric Company, a registered holding company, and Appalachian Electric Power Company ("Appalachian") its public-utility subsidiary company, have filed with this Commission a declaration pursuant to the Public Utility Holding Company Act of 1935 ("act") and have designated section 12 (d) of said act and Rule U-44 promulgated thereunder as applicable to the proposed transaction which is summarized as follows:

Appalachian proposes to sell to Poca-hontas Fuel Company, Inc., a non-affiliated company, certain lines, transformers and conversion equipment, virtually all of which is now located on property belonging to the purchaser or its affiliated companies in Virginia and West Virginia and which are used exclusively for the delivery of electric energy by Appalachian to said purchaser. The purchase price for the facilities being sold is to be \$1,108,136, which represents the depreciated book cost of such facilities (original cost of \$1,335,827, less calculated depreciation to December 31, 1954 of \$227,691) Said purchase price is payable, without inter-

est, in monthly installments over a period of not to exceed eight and one-half years.

The declaration states that the State Corporation Commission of Virginia does have, and the Public Service Commission of West Virginia may have, jurisdiction over the proposed transaction but that no Federal commission other than this Commission has jurisdiction over such transaction.

The declaration requests that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than March 24, 1955, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 55-2127; Filed, Mar. 14, 1955;
8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 30335]

PRINTING PAPER FROM CANTON, N. C., TO PETERSBURG, VA.

APPLICATION FOR RELIEF

MARCH 10, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., agent, for carriers parties to schedule listed below. Commodities involved: Printing paper, and other papers, carloads.

From: Canton, N. C.

To: Petersburg, Va.

Grounds for relief: Rail competition, circuitry, and market competition.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1218, supp. 88.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or

formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F. R. Doc. 55-2119; Filed, Mar. 14, 1955;
8:50 a. m.]

[4th Sec. Application 30336]

SCRAP PAPER FROM CALHOUN, TENN., TO
CORONA, N. Y.

APPLICATION FOR RELIEF

MARCH 10, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below. Commodities involved: Paper, scrap or waste, carloads.

From: Calhoun, Tenn.

To: Corona, N. Y.

Grounds for relief: Rail competition, circuitry, to apply rates constructed on the basis of the short line distance formula, and additional points.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. 1377, supp. 16.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F. R. Doc. 55-2120; Filed, Mar. 14, 1955;
8:50 a. m.]

[4th Sec. Application 30337]

SODA ASH FROM BATON ROUGE, LA., TO
BIRMINGHAM, ALA., AND POINTS GROUPED
THERewith AND MONTGOMERY, ALA.

APPLICATION FOR RELIEF

MARCH 10, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Soda ash, carloads.

From: Baton Rouge and North Baton Rouge, La.

To: Birmingham, Ala., and points grouped therewith, and Montgomery, Ala.

Grounds for relief: Rail competition, circuitry, and competition with motor carriers.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1400, supp. 49.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F. R. Doc. 55-2121; Filed, Mar. 14, 1955;
8:50 a. m.]

[4th Sec. Application 30338]

COMMODITY RATES FROM OR TO MEDO,
CLIFFTOP AND LANDISBURG, W. VA., ON
THE ONE HAND, AND POINTS IN THE
UNITED STATES AND CANADA, ON THE
OTHER

APPLICATION FOR RELIEF

MARCH 10, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to the uniform freight classification, Alternate Agent A. H. Carson's tariff I. C. C. A-2.

Commodity: Commodity rates.

Between: Medo, Clifftop, and Landisburg, W. Va., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief: Rail competition, circuitry, to maintain grouping, new freight stations with rates related to adjacent station.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect

to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F. R. Doc. 55-2122; Filed, Mar. 14, 1955;
8:50 a. m.]

[4th Sec. Application 30339]

STEEL AND WROUGHT IRON PIPE FROM
OFFICIAL, ILLINOIS, SOUTHERN, AND
WESTERN TRUNK-LINE TERRITORIES TO
SOUTHWESTERN TERRITORY, MISSOURI,
AND KANSAS

APPLICATION FOR RELIEF

MARCH 10, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedules listed below. Commodities involved: Steel or wrought iron pipe and related articles, carloads.

From: Points in official, Illinois, southern, and western trunk-line territories.

To: Points in southwestern territory, Missouri and Kansas.

Grounds for relief: Rail competition, circuitry, competition with water carriers, competition with motor-water carriers, market competition, and to maintain grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. 4116, supp. 16; W. J. Prueter, Agent, I. C. C. A-4038, supp. 26; W. J. Prueter, Agent, I. C. C. A-3991, supp. 50; H. R. Hinsch, Agent, I. C. C. 4211, supp. 28; C. W. Boin, Agent, I. C. C. A-1057, supp. ---.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F. R. Doc. 55-2123; Filed, Mar. 14, 1955;
8:50 a. m.]

